L.N. 400 of 2004

MALTA TRANSPORT AUTHORITY ACT (CAP. 332)

Motor Vehicles (Tariff of Fares) (Amendment) Regulations, 2004

IN exercise of the powers conferred by article 32 of the Malta Transport Authority Act, the Minister for Urban Development and Roads has, after consultation with the Malta Transport Authority, made the following regulations:-

Title and commencement.

L.N. 14 of 1982.

1. (1) The title of these regulations is the Motor Vehicles (Tariff of Fares) (Amendment) Regulations, 2004, and shall be read and construed as one with the Motor Vehicles (Tariff of Fares) Regulations, 1982, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on the date of their publication in the Gazette.

Change in the title of the Authority.

2. Wherever applicable in the principal regulations, the term "Public Transport Authority" shall be substituted by the term "Malta Transport Authority".

Renumbers regulation 2, deletes regulation 3 and adds new regulations 3 to 5 to the principal regulations.

3. Regulation 2 of the principal regulations shall be renumbered as regulation 6 thereof and for regulation 3, thereof there shall be substituted the following:

"Interpretation.

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

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

"coach" means a vehicle constructed exclusively for the carriage of seated passengers;

"fare" means the sum charged for the conveyance of persons in motor vehicles licensed to carry passengers for hire or reward;

"hire or reward" means the carriage of passengers other than on own account, that is to say against payment or compensation by the person transported or by the

transport organiser, whether such payment or compensation is made directly or indirectly;

"passenger" means, for the purpose of these regulations, a person travelling in a motor vehicle licensed to carry passengers for hire or reward, but who is not the driver;

"route bus" means a vehicle constructed principally for the carriage of seated passengers and with areas for standing passengers to allow frequent passenger movement, licensed to carry passengers for hire or reward and which is registered to perform scheduled trips with the Central Office for Scheduled Bus Transport Services;

"stored value contact card" means a card implanted with a microchip with stored monetary value, which can be re-loadable and re-used by transferring value to it from an automated teller machine or other similar device, issued by the Central Office for Scheduled Bus Transport Services and which may be used for the purpose of making payments for services rendered by the said Office.

Passengers to pay appropriate amount or fare.

3. (1) A person travelling on a vehicle licensed for the carriage of persons for hire or reward shall not refuse or omit to pay to the owner, driver or conductor of such a vehicle any sum which is payable by such person to such owner, driver or conductor for the hire of the vehicle or the fare for the carriage of such person in the vehicle.

(2) The owner or driver or conductor of a vehicle used to carry passengers for hire or reward shall not charge or demand for services rendered a greater sum than that fixed for such services.

(3) The driver of a taxicar shall not charge or demand a greater sum than the fare shown by the taximeter or a greater sum than the fares shown in Table I of the Second Schedule to these regulations.

Passengers on route buses to pay exact fare.

4. (1) Every passenger on a route bus shall pay the appropriate fare for the journey such passenger wishes to take on the said motor bus.

(2) Any passenger on a route bus who either negligently or wilfully fails to pay the fare due or who travels beyond the correct stage for a fare already paid, shall be liable on conviction to a fine *(multa)* which does not exceed Lm20 in respect of such offence.

(3) Passengers shall take their turn in queue to board a route bus and the driver or conductor shall either collect the fare and issue a ticket corresponding to that fare, or issue a receipt corresponding to the fare to be paid if the passenger is in possession of a stored value contact card, or punch the pre-paid single trip ticket if the passenger is in possession of such a ticket, as the case may be.

(4) No driver or conductor or ticket seller shall demand a fare higher than that established in the tariff.

(5) When fares lower than those established in the official tariff are charged, a list of such lower fares shall be submitted to the Authority and such fees shall be shown in a conspicuous place inside the motor route bus. Such lower fares shall not be raised before the lapse of two days after notice in writing has been given to the Authority and a printed notice has been affixed in a prominent position inside the vehicle. The lower fares shall not be raised in any case above the fares established in the official tariff of fares.

(6) Any officer of the Authority, route managers and transport assistants, while on duty, shall not be made to pay the fare when travelling on a motor route bus. They may travel in excess of the number of passengers allotted to the motor route bus.

Tickets.

5. (1) No passenger on a route bus not in possession of a ticket shall refuse to pay the due fare to the driver or conductor on demand.

(2) The driver or conductor of a route bus shall issue to the passenger, tickets, either in the form of a receipt from a bus ticketing machine, or tickets issued by the Central Office for Scheduled Services, corresponding to the fare paid by the passenger either for himself or herself or for any other passenger or in respect of any parcel for the conveyance of which a charge of six cents may be made.

(3) If the abovementioned receipt or ticket is not issued by the driver or conductor, or if the receipt or ticket issued does not correspond to the fare paid by the passenger, or the receipt or ticket has already been used by another passenger, the driver or conductor shall be guilty of an offence and shall, on conviction, be liable to a fine *(multa)* not exceeding Lm20.

(4) Drivers or conductors shall obtain the tickets from the Central Office for Scheduled Services.

(5) The tickets shall show the fare charged and shall be of such a size, colour and shape as the Authority may direct.

(6) Every driver or conductor shall keep tickets of all fares relative to any particular route which shall only be used if the ticketing machine in the bus is not functioning because it is in need of repair.".

Amends the First Schedule to the principal regulations.

4. In the First Schedule to the principal regulations –

(a) for the words "(Regulation 2)" there shall be substituted the words "(Regulation 6)" and for the words "motor omnibus" or "motor omnibuses" there shall be substituted the words "route bus" or "route buses";

(b) for the words "the General Secretary" in paragraph 3 (1), there shall be substituted the words "any officer"; and

(c) the words "General Secretary of the" in paragraphs 3 (2), 4 (1) and (2), 5 (1) and (2) and 7 shall be deleted.

Amends the Second Schedule to the principal regulations.

5. The Second Schedule to the principal regulations shall be amended as follows:

(a) the paragraph starting with the words "Tariff of Fares" and ending with the words "Motor Vehicles Regulations)", and Tables I, II and III thereof shall be deleted;

(b) for paragraph E of Table IV there shall be substituted the following:

"E. (1) Whoever needs the service of a taxi car for a trip leaving the Malta International Airport shall do so through an apposite office housed at the Malta International Airport

itself. Payment for such a trip shall be made at the said office. Taxi drivers shall only provide the requested service upon presentation of the applicable receipt by the person or persons requesting the service.

(2) Tourists who opt to take a taxi tour from the Malta Seaport Terminal or tourists who need to use the service of a taxi car for a trip leaving the said Seaport Terminal, shall do so from a fare-paying booth set up for this purpose at the said Seaport Terminal. Payment for such a tour or trip shall be made at the said booth. Taxi drivers shall only provide the requested service upon presentation of the applicable receipts by any person requesting the tour or service.

For the purpose of this proviso the word "tourist" means passengers arriving in and departing from Malta by the same vessel and on the same voyage.";

(c) immediately after paragraph F of Table IV there shall be inserted the following new paragraph:

"G. Any person who operates or drives a taxi car in contravention of any provisions of these regulations shall be guilty of an offence and shall, on conviction, be liable to those fines as stipulated in article 16A of the Traffic Regulation Ordinance.";

(d) in the title to Table IV, the words **"**TABLE IV" and "Taxi Cars" shall be replaced by the words "TABLE I" and "Tariff of Fares for Taxicars" respectively.".

Deletes regulations 164 and 180 of L.N. 128 of 1994.

6. Regulations 164 and 180 of the Motor Vehicles Regulations, 1994, shall be deleted.

Deletes of LN 32 of 1991.

7. The Mini Bus Service (Tariff of Fares) Regulations, 1991 are hereby deleted.