

L.N. 348 of 2005

**TRAFFIC REGULATION ORDINANCE
(CAP. 65)**

**Motor Vehicles (Weights, Dimensions and Equipment)
(Amendment) Regulations, 2005**

IN exercise of the powers conferred by article 54 of the Traffic Regulation Ordinance, the Minister for Urban Development and Roads has, in consultation with the Malta Transport Authority, made the following regulations:-

Citation.

1. The title of these regulations is the Motor Vehicles (Weights, Dimensions and Equipment) (Amendment) Regulations, 2005, and they shall be read and construed as one with the Motor Vehicles (Weights, Dimensions and Equipment) Regulations, 2003, hereinafter referred to as “the principal regulations”.

L.N. 162 of 2003.

Amends regulation 2 of the principal regulations.

2. Regulation 2 of the principal regulations shall be amended as follows:-

(a) the definition “agreement” shall be deleted;

(b) for the definition “bus” there shall be substituted the following:

“ “bus” means a vehicle with more than nine seats including the driver’s seat, which is constructed and equipped to carry passengers and their luggage, which may have one or two decks and which may also draw a luggage trailer;”;

(c) immediately after the definition “driver card (with memory)” there shall be inserted the following new definitions:

Cap. 460.

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

(d) immediately after the definition “maximum authorised axle weight” there shall be inserted the following new definition:

“ “Member State” means a Member State of the European Union;”;

(e) in the proviso to the definition “normal residence”, for the words “Agreement States” and “Agreement State” there shall be substituted the words “Member States” and “Member State” respectively; and

(f) immediately after the definition “tachograph card” there shall be inserted the following new definition:

“ “taximeter” means a measuring instrument designed for installation in a motor vehicle that calculates and displays the fare to be paid for a trip, based on the distance travelled and the duration of the trip;”.

3. For regulation 3 of the principal regulations there shall be substituted the following:

Substitutes regulation 3 of the principal regulations.

“3. Passenger vehicles shall be classified in the following categories:

CATEGORY M

Motor vehicles with at least four wheels used for the carriage of passengers.

- M1 – Vehicles used for the carriage of passengers and comprising no more than eight seats in addition to the driver’s seat;
- M2 – Vehicles used for the carriage of passengers, comprising more than eight seats in addition to the driver’s seat, and having a maximum mass not exceeding 5 tonnes;
- M3 – Vehicles used for the carriage of passengers, comprising more than eight seats in addition to the driver’s seat, and having a maximum mass exceeding 5 tonnes.”.

4. For regulation 4 of the principal regulations there shall be substituted the following:

Substitutes regulation 4 of the principal regulations.

“4. Goods vehicles shall be classified in the following categories:

CATEGORY N

Motor vehicles with at least four wheels used for the carriage of goods.

- N1 – Vehicles used for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes;

- N2 – Vehicles used for the carriage of goods and having a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes;

- N3 – Vehicles used for the carriage of goods and having a maximum mass exceeding 12 tonnes.

In the case of a towing vehicle designed to be coupled to a semi-trailer or centre-axle trailer, the mass to be considered for classifying the vehicle is the mass of the tractor vehicle in running order, increased by the mass corresponding to the maximum static vertical load transferred to the tractor vehicle by the semi-trailer or centre-axle trailer and, where applicable, by the maximum mass of the tractor vehicle's own load.”.

Substitutes
regulation 5 of the
principal
regulations.

5. For regulation 5 of the principal regulations there shall be substituted the following:

“5. Trailers shall be classified in the following categories:

CATEGORY O

Trailers (including semi-trailers).

- O1 – Trailers with a maximum mass not exceeding 0.75 tonnes;

- O2 – Trailers with a maximum mass exceeding 0.75 tonnes but not exceeding 3.5 tonnes;

- O3 – Trailers with a maximum mass exceeding 3.5 tonnes but not exceeding 10 tonnes;

- O4 – Trailers with a maximum mass exceeding 10 tonnes.

In the case of a semi-trailer or centre-axle trailer, the maximum mass to be considered for classifying the trailer corresponds to the static vertical load transmitted to the ground by the axle or axles of the semi-trailer or centre-axle trailer when coupled to the towing vehicle and carrying its maximum load.”.

6. In regulation 8 of the principal regulations, immediately after the words “First Schedule” there shall be inserted the words “and with any other restrictions on maximum authorized dimensions and, or weights of vehicles in specified areas or on specified roads”.

Amends regulation 8 of the principal regulations.

7. In regulation 11 of the principal regulations, immediately after the words “First Schedule” there shall be inserted the words “and with any other restrictions on maximum authorized dimensions and, or weights of vehicles in specified areas or on specified roads”.

Amends regulation 11 of the principal regulations.

8. Regulation 12 of the principal regulations shall be amended as follows:

Amends regulation 12 of the principal regulations.

(a) for the marginal note thereto there shall be substituted the words “Conformity with specifications.”; and

(b) for the words “shall comply with the limits established for weights and dimensions in the Second Schedule” there shall be substituted the words “for hire or reward, shall comply with specifications established from time to time by the Authority”.

9. Sub-regulation (1) of regulation 14 of the principal regulations shall be amended as follows:

Amends regulation 14 of the principal regulations.

(a) in paragraph (a) (ii) for the words “Third Schedule” there shall be substituted the words “Second Schedule”; and

(b) in paragraph (c) for the words “Agreement State” there shall be substituted the words “Member State”.

10. For regulation 16 of the principal regulations there shall be substituted the following:

Substitutes regulation 16 of the principal regulations.

“Applicability. **16.** (1) The scope of this Part is the implementation of Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community as amended by Directive 2002/85/EC of the European Parliament and of the Council.

(2) This Part applies to N3, N2, M3 and M2 category vehicles that are intended for use on the road, having at least four wheels and a maximum design speed exceeding 25 kph.”.

11. For paragraph (b) of regulation 17 of the principal regulations there shall be substituted the following:

Amends regulation 17 of the principal regulations.

“(b) goods vehicles whose maximum design speed is lower than 90 kph and passenger vehicles whose maximum design speed is lower than 100 kph;”.

Substitutes
regulation 18 of
the principal
regulations.

12. For regulation 18 of the principal regulations there shall be substituted the following:

“Goods
vehicles.

18. The following goods vehicles shall be equipped with a fully operational speed limitation device:

(a) N3 category vehicles first registered in Malta or registered in a Member State on or after 1st January, 1988;

(b) N2 category vehicles first registered in Malta on or after the 1st January, 2005 to operate both nationally and internationally or registered in a Member State and circulating on the public highway;

(c) N2 category vehicles having a maximum mass of more than 7.5 tonnes registered in Malta on or after the 1st January, 2005 to operate only in Malta;

(d) N2 category vehicles having a maximum mass of more than 3.5 tonnes but not exceeding 7.5 tonnes to be first registered in Malta on or after the 1st January, 2008 to operate only in Malta.”.

Substitutes
regulation 19 of the
principal
regulations.

13. For regulation 19 of the principal regulations there shall be substituted the following:

“Diesel
engined
goods
vehicles.

19. N2 category vehicles with a diesel engine first registered in Malta between 1st October, 2001 and the 31st December, 2004 shall be equipped with a fully operational speed limitation device by the -

(a) 1st January, 2006 if they are registered to be used for both national and international transport, and

(b) 1st January, 2007 if they are registered to be used only for national transport.”.

Amends regulation
20 of the principal
regulations.

14. Regulation 20 of the principal regulations shall be amended as follows:

(a) in the marginal note for the words “N3 vehicles” there shall be substituted the words “goods vehicles”, and

(b) for the words “86 kph” there shall be substituted the words “90 kph”.

15. In regulation 21 of the principal regulations for the words “86 kph” there shall be substituted the words “90 kph”. Amends regulation 21 of the principal regulations.

16. For regulation 22 of the principal regulations there shall be substituted the following: Substitutes regulation 22 of the principal regulations.

“Passenger vehicles.” **22.** The following passenger vehicles shall be required to be equipped with a fully operational speed limitation device:

(a) M3 category vehicles with a maximum mass of more than 10 tonnes first registered in Malta or registered in a Member State on or after the 1st January, 1988;

(b) M3 category vehicles that are first registered in Malta or registered in a Member State on or after the 1st January, 2005;

(c) M2 category vehicles that are first registered in Malta on or after the 1st January, 2005 to operate both nationally and internationally or registered in a Member State and circulating on the public highway;

(d) M2 category vehicles to be first registered in Malta on or after 1st January 2008 to operate only in Malta.”.

17. For regulation 23 there shall be substituted the following: Substitutes regulation 23 of the principal regulations.

“Diesel engined passenger vehicles.” **23.** M3 category vehicles with a maximum mass of more than 5 tonnes but not exceeding 10 tons and having a diesel engine and M2 category vehicles having a diesel engine first registered on or after the 1st October, 2001 shall be fitted with a speed limitation device by the –

(a) 1st January, 2006 if they are registered to be used for both national and international transport, and

(b) 1st January, 2007 if they are registered to be used only for national transport.”.

Substitutes
regulation 25 of the
principal
regulations.

18. For regulation 25 of the principal regulations there shall be substituted the following:

L.N. 95 of 2002.

“25. Speed limitation devices shall satisfy the technical requirements laid down in the Motor Vehicles (EC Type Approval) Regulations, 2002. However, all vehicles covered by this Part of the regulations and registered before the 1st January, 2005 may continue to be equipped with speed limitation devices which satisfy the technical requirements laid down by the competent authorities in Member States.”.

Amends regulation
27 of the principal
regulations.

19. In paragraph (a) of regulation 27 of the principal regulations, for the words “Agreement State” there shall be substituted the words “Member State”.

Amends regulation
28 of the principal
regulations.

20. In regulation 28 of the principal regulations for the words “Fourth Schedule” there shall be substituted the words “Third Schedule”.

Amends regulation
29 of the principal
regulations.

21. In regulation 29 of the principal regulations, for the words “Agreement State” wherever they appear there shall be substituted the words “Member State”.

Amends regulation
30 of the principal
regulations.

22. In regulation 30 of the principal regulations, for the words “Agreement State” there shall be substituted the words “Member State”.

Amends regulation
35 of the principal
regulations.

23. In paragraph (e) of regulation 35 of the principal regulations, for the words “Fifth Schedule” there shall be substituted the words “Fourth Schedule”.

Amends regulation
51 of the principal
regulations.

24. In sub-regulation (1) of regulation 51 of the principal regulations for the words “Agreement State” there shall be substituted the words “Member State”.

Amends regulation
73 of the principal
regulations.

25. Regulation 73 of the principal regulations shall be amended as follows:-

(a) for the words “a fine (*multa*) of fifty liri” in sub-regulation (2), there shall be substituted the words “a fine (*ammenda*) of twenty-five liri”; and

(b) for the words “a fine (*ammenda*) of fifty liri” in sub-regulation (3), there shall be substituted the words “a fine (*ammenda*) of twenty-five liri”.

26. The First Schedule to the principal regulations shall be amended as follows:

Amends the First Schedule to the principal regulations.

(a) for paragraph 1.1. there shall be substituted the following:

“1.1. Maximum length

- motor vehicle other than a bus 12.00 m
- trailer 12.00 m
- articulated vehicle 16.50 m
- road train 18.75 m
- articulated bus 18.75 m
- bus with two axles 13.50 m
- bus with more than two axles 15.00 m
- bus + trailer 18.75 m;”.

(b) immediately after paragraph 1.4 there shall be inserted the following new paragraph:

“1.4A If any removable attachments, such as ski-boxes, are fitted to a bus, its length, including the attachments, must not exceed the maximum length laid down in paragraph 1.1.”; and

(c) immediately after paragraph 1.5 there shall be inserted the following new paragraph:

“1.5A *Additional requirements for buses.*

With the vehicle stationary, a vertical plane tangential to the side of the vehicle and facing outwards from the circle shall be established by marking a line on the ground. In the case of an articulated vehicle, the two rigid portions shall be aligned with the plane.

When the vehicle moves from a straight line approach into the circular area described in paragraph 1.5, no part of it shall move outside of that vertical plane by more than 0.60m.”.

Deletes the Second Schedule to the principal regulations.

27. The Second Schedule to the principal regulations shall be deleted.

Renumbers the Third, Fourth and Fifth Schedules to the principal regulations.

28. The Third, Fourth and Fifth Schedules to the principal regulations shall be renumbered as the Second, Third and Fourth Schedules respectively.