L.N. 48 of 2006

MALTA TRANSPORT AUTHORITY ACT
(CAP. 332)

TRAFFIC REGULATION ORDINANCE
(CAP. 65)

Motor Vehicles (Registration and Licensing) (Amendment) Regulations, 2006

IN exercise of the powers conferred by article 32 of the Malta Transport Authority Act and article 54 of the Traffic Regulation Ordinance, the Minister for Urban Development and Roads, in consultation with the Malta Transport Authority has made the following regulations: -

Title.

1. The title of these regulations is the Motor Vehicles (Registration and Licensing Regulations) (Amendment) Regulations, 2006 and they shall be read and construed as one with the Motor Vehicles (Registration and Licensing) Regulations, 2004 hereinafter referred to as "the principal regulations".

L.N. 476 of 2004.

Amends regulation 2 of the principal regulations.

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

(a) the definition "commercial vehicle" shall be deleted;

(b) immediately after the definition "goods carrying motor vehicle" there shall be added the following new definition:

" "goods vehicle" means any motor vehicle which, by its design or equipment, is suitable for and intended for transporting of goods, whether for payment or not;";

(c) for the definition "new motor vehicle" there shall be substituted the following:

" "new motor vehicle" means a motor vehicle which is no more than six months old since first entry into service or

which has travelled no more than 6,000 kilometres;";

(d) for the definition "used motor vehicle" there shall be substituted the following:

" "used motor vehicle" means, for the purpose of these regulations, a motor vehicle which has already been registered to be used on the road in another country and which is more than six months old since first entry into service and which has travelled more than 6,000 kilometres;".

Amends regulation 4 of the principal regulations.

3. In paragraphs (iii) and (iv) of sub-regulation (1) of regulation 4 of the principal regulations, for the words "commercial vehicle", wherever they appear, there shall be substituted the words "goods vehicle".

Amends regulation 7 of the principal regulations.

4. Regulation 7 of the principal regulations shall be amended as follows:

(a) paragraphs (viii) and (ix) of sub-regulation (3) shall be renumbered (ix) and (x) respectively;

(b) immediately after paragraph (vii) of sub-regulation (3) there shall be added the following new paragraph:

"(viii) in the case of M1 and N1 motor vehicles imported from a third country, Certificate of Authenticity issued by a body accredited by the Authority and which shows that the vehicle has an authentic odometer reading";

(c) in sub-regulation (4) immediately after the words "importer or dealer of" there shall be inserted the words "a Lm5 administration fee payable to the Authority,"; and

(d) immediately after sub-regulation (9) of regulation 7 of the principal regulations there shall be added the following new sub-regulation:

"(10) (a) Without prejudice to sub-regulation (8) hereof, where the Authority has reasonable suspicion that a

motor vehicle is on the road in breach of the provisions of regulation 3 and, or regulation 7 of these regulations or in breach of the Motor Vehicle Registration Tax Act, the Authority may request the Commissioner of Police to take possession of, remove and store the said vehicle in accordance with the Traffic Regulation (Clamping and Removal of Motor Vehicles and Encumbering Objects), Regulations, 1991, and to institute criminal proceedings against the registered owner or possessor of the same. Cap. 368.

(b) Such vehicle shall not be returned to its registered owner or possessor, unless and until, he has been acquitted by the Court of the alleged offence, or has remedied his position at law and settled any registration tax and other fees which may be payable, including the removal and storage fees stipulated by the said Traffic Regulation (Clamping and Removal of Motor Vehicles and Encumbering Objects) Regulations, 1991.

(c) Acquittal from the charges pressed against the owner or possessor of the vehicle shall not give rise to a right to claim damages against the Authority or the Commissioner of Police, or both, unless it can be proven that the Authority acted in bad faith when it requested the removal of the vehicle:

Provided that prosecution for the offence in question is initiated not later than fourteen days after the date of removal, and where the registered owner or possessor of the vehicle is not known, the fourteen-day period shall commence to run from the day when the owner or possessor is identified.".

5. Sub-regulation (1) of regulation 33 of the principal regulations shall be amended as follows: Amends regulation 33 of the principal regulations.

(a) in paragraph (ix) after the words "motor cycles" there shall be added the words "for short term hire";

(b) paragraphs (x) and (xi) shall be renumbered (xi) and (xii) respectively;

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

"(x) a letter followed by the letters QZ in the case of motor vehicles used for long term hire or leasing;".

Amends regulation 46 of the principal regulations.

6. In sub-regulation (1) of regulation 46 of the principal regulations, for the words "M1 and M2 motor vehicles" there shall be substituted the words "M1 and N1 motor vehicles".

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