

L.N. 3 of 2007

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

Motor Vehicle (Amendment) Regulations, 2007

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

1. The title of these regulations is the Motor Vehicles (Amendment) Regulations, 2007 and they shall be read and construed as one with the Motor Vehicles Regulations, 1994, hereinafter referred to as “the principal regulations”. Title.
L.N. 128 of 1994.

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

(a) in the definition “Authority”, for the words “Public Transport Authority established by article 3 of the Public Transport Authority Act” there shall be substituted the words “Malta Transport Authority established by the Malta Transport Authority Act”;

(b) immediately after the definition “build-out” there shall be inserted the following new definition:

“ “carriageway” means that part of a roadway on which traffic proceeds in a single direction;”;

(c) immediately after the definition “car for hire” there shall be inserted the following new definition:

“ “heavy goods vehicle” means an articulated goods vehicle, or a large goods vehicle, that is to say, a motor vehicle (not being an articulated goods vehicle) which is constructed or adapted to carry or to haul goods and the permissible maximum weight of which exceeds 7.5 tonnes;”;

(d) immediately after the definition “M1 motor vehicles” there shall be inserted the following new definition:

“ “mobile telephone” means any portable device which is used directly by a person for the purpose of wireless communication;”;

(e) immediately after the definition “motor vehicle for hire” there shall be inserted the following new definition:

“ “priority vehicle lane” means an area of carriageway reserved for vehicles on priority duty;”;

(f) immediately after the definition “public service garage van” there shall be inserted the following new definition:

“ “quadricycle” means a four-wheeled motor cycle whose unladen mass is not more than 400kg, not including the mass of batteries in the case of electric vehicles, whose maximum net engine power does not exceed 15 kW, and it includes also a quad bike;”;

(g) immediately after the definition “stop light” there shall be inserted the following new definition:

“ “tag” means an official means of identification issued by the Authority granting the holder of the said tag the right to drive a passenger transport vehicle for hire or reward;”;
and

(h) immediately after the definition “self drive motor vehicle” there shall be inserted the following new definition:

“ “two-way radio” means any wireless apparatus which is designed or adapted for the purpose of transmitting and receiving spoken messages;”.

Amends regulation 69 of the principal regulations.

3. Sub-regulation (3) of regulation 69 of the principal regulations shall be deleted.

Substitutes regulation 77 of the principal regulations.

4. For regulation 77 of the principal regulations there shall be substituted the following:

“77. (1) A person driving or having charge of a motor vehicle shall not wilfully or negligently prevent, hinder or interrupt the free passage to any person, vehicle, horse or cattle through any road.

(2) No person shall park or leave unattended any motor vehicle in such a manner as to impede any motor vehicle of another person from having free entrance to or exit from any premises used and clearly marked as a garage by the word “GARAGE IN USE”:

Provided that for the purpose of this regulation the word “garage” means any premises used specifically for the garaging and, or parking of motor vehicles, and includes a drive-in.

(3) No person shall mark a premises as a garage unless that premises is duly to be used for the garaging of any motor vehicle.

(4) No person shall paint or cause to be painted carriageway markings on either side of the road at the entrance to or exit from any premises marked as a garage:

Provided that the Authority may approve the painting of double yellow lines on each or either side of a premises marked as a garage or on the opposite side of the road to ensure the safe passage of a motor vehicle into and out of that garage.

(5) Any person who paints or causes to be painted yellow lines or any other carriageway markings on a road at the entrance to or exit from any premises marked as a garage without the authorisation of the Authority shall be guilty of an offence and shall be liable, on conviction, to a fine of twenty five Maltese *liri* and a fine of five Maltese *liri* for each day those yellow lines or carriageway markings remain painted on the road.”.

5. For sub-regulations (2) and (3) of regulation 90 of the principal regulations there shall be substituted the following:

Amends regulation 90 of the principal regulations.

“(2) Where the inner lane of a carriageway is indicated as a priority vehicle lane, it may only be used by any public transport vehicle (excluding self-drive vehicles), any *karrozzin*, any bicycle, any motorcycle, any heavy goods vehicle and any other vehicles on priority duty as is mentioned in regulation 83(1).

(3) A priority vehicle lane shall be indicated by means of a priority vehicle sign which may also indicate the period of operation of such priority vehicle lane;

(4) No person shall, while driving any vehicle that is not a vehicle listed in sub-regulation (2) hereof, drive along a priority vehicle lane other than in a case of emergency.”.

Amends regulation 91 of the principal regulations.

6. Regulation 91 of the principal regulations shall be amended as follows:-

(a) in sub-regulation (1) thereof, the words “of the Commissioner of Police or, in the case of public transport vehicles,” shall be deleted; and

(b) for paragraph (a) of sub-regulation (1), there shall be substituted the following:-

“(a) make, or order or cause the making of any alteration to the body, including the seating capacity or seating arrangement, or any mechanical alteration to the chassis or engine of any motor vehicle:

Provided that for the purpose of this paragraph, the term “alteration” includes any addition or extension and any changes in the seating capacity; or”.

Adds new regulation 110A to the principal regulations.

7. Immediately after regulation 110 of the principal regulations there shall be added the following new regulation 110A:-

“Windscreens and other windows.

110A. (1) No person may, without the prior written permission of the Authority, drive, or allow to be driven on the road –

(a) any vehicle the windscreen, front side windows and rear most window of which do not allow a minimum of 75 per cent of light to be transmitted through them from either direction, either because the material which they are made out of is tinted or because any tint, film, other substance or material has been applied thereto:

Provided that if the vehicle is equipped with left and right-hand side rear view mirrors, the minimum light transmitted through the rear most window may be below 75 per cent but shall not be less than 50 per cent, provided that the glazing shall bear the additional type approval symbol V;

(b) any vehicle the rear side windows of which do not allow a minimum of 50 per cent of light to be

transmitted through them from either direction, either because the material which they are made out of is tinted or because any tint, film, other substance or material has been applied thereto:

Provided that the rear side glazings which allow a light transmittance of less than 75 per cent shall bear the international type approval symbol V in accordance with UN/ECE Regulation 43.

(2) A person who, for medical reasons, requires tinting on the windscreen or on the windows to the left and right of the driver which would allow a light transmittance which is less than 75 per cent, shall apply for a special permit from the Authority:

Provided that the medical conditions for which the said exemption from such restrictions may be issued shall be those associated with photo-sensitivity disorders, as certified by a medical practitioner.

For the purpose of this sub-regulation the photo-sensitivity disorders referred to herein are disorders caused by exposure to ultraviolet radiation. Diseases that are associated with light exposure include contact dermatitis, vacciniiforme, lupus erythematosus, polymorphous light eruption, Porphyria and xeroderma pigmentosum.

(3) Nothing in this regulation shall be construed to prohibit tinting of the windscreen of a motor vehicle with a strap, located at the very top of the windscreen, encroaching not more than 10mm into the swept area of the windscreen covered by the movement of the wiper blades when in operation, provided that the light transmittance of the strap shall not be less than 35 per cent.”.

8. For regulation 115 of the principal regulations there shall be substituted the following:

Substitutes regulation 115 of the principal regulations.

“Use of mobile phones and other devices.

115. (1) No person shall drive any motor vehicle whilst wearing or using on both ears earphones or headphones or any other device which may hinder or is likely to hinder that person from hearing properly.

(2) No person shall drive a motor vehicle on a road if that person is holding and, or using a hand-held mobile

telephone or any other similar hand-held device, other than a hand-free device or a two-way radio, while the motor vehicle is in motion.”.

Substitutes
regulation 116 of
the principal
regulations.

9. For regulation 116 of the principal regulations there shall be substituted the following:

“116. No driver shall operate, or cause, or permit to be operated any radio, tape recorder, record player or similar apparatus on or in any motor vehicle in a way that it may hinder or is likely to hinder that driver from hearing properly or which may cause annoyance to passengers in the vehicle or other people in any inhabited place.”.

Amends regulation
123 of the principal
regulations.

10. Regulation 123 of the principal regulations shall be amended as follows:

(a) for the words “Pillion riding” in the marginal note to the regulation there shall be substituted the words “Pillion riding and wearing of helmets”; and

(b) in sub-regulation (2) immediately after the words “any motor cycle” there shall be added the words “or quadricycle”.

Substitutes
regulation 128 of
the principal
regulations.

11. For regulation 128 of the principal regulations there shall be substituted the following:

“(1) In the case of public service garage vans, minibuses for public transport and motor omnibuses used for the carriage of schoolchildren against hire or reward, where a seat provides comfortable space for the seating of two adult passengers, three school children aged ten years or under may, until the 9th May 2008, continue to be carried on the said seat.

(2) Without prejudice to sub-regulation (1) of this regulation, minibuses for public transport carrying, for hire or reward, schoolchildren aged ten years or under together with students aged over ten years, may only carry four persons in excess of the number of passengers imposed on the licence.

(3) Drivers of motor vehicles transporting schoolchildren for hire or reward shall operate the vehicle’s hazard warning lights during all boarding and alighting of schoolchildren.

(4) Drivers of motor vehicles carrying schoolchildren for hire or reward shall ensure that schoolchildren do not exit from

doors opening into traffic and shall not allow passengers to board or alight from the vehicle unless that vehicle is at a complete standstill.

(5) Drivers of motor vehicles transporting schoolchildren for hire or reward shall not carry standing passengers while the vehicle is in motion.

(6) Every motor vehicle, other than a private car, shall, while carrying schoolchildren for hire or reward, have affixed on the front and on the rear of the vehicle a sign showing two schoolchildren and similar in type, shape, colour and size to a sign exhibited at such place as may be designated by the Authority.”.

12. For regulation 159 of the principal regulations there shall be substituted the following:-

Substitutes
regulation 159 of
the principal
regulations.

“159. (1) No advertisement, lettering or any other printed matter shall be exhibited in the interior of any motor omnibus licensed for hire without the prior written permission of the Authority:

Provided that the Authority may from time to time exempt certain signs from the application of this sub-regulation.

(2) No advertisement, lettering or other printed matter may be displayed on any part of the exterior of any motor omnibus licensed for hire, without the prior written permission of the Authority.

(3) Where any advertisement, lettering or other printed matter is displayed in contravention of sub-regulations (1) and (2) of this regulation, the Authority may suspend such motor omnibus from service unless and until the matter is regularised.

(4) Without prejudice to the above provisions, nothing shall be permitted to obstruct or otherwise interfere with the view of the driver or substantially hinder the view of passengers.”.

