VERŻJONI ELETTRONIKA

L.N. 110 of 2011

MOTOR VEHICLES REGISTRATION AND LICENSING ACT (CAP. 368)

AUTHORITY FOR TRANSPORT IN MALTA ACT (CAP. 499)

Registration and Licensing of Motor Vehicles (Amendment) Regulations, 2011

IN exercise of the powers conferred by article 20 of the Motor Vehicles Registration and Licensing Act, and by article 43 of the Authority for Transport in Malta Act, the Minister for Infrastructure, Transport and Communications, in consultation with the Malta Transport Authority, has made the following regulations:-

Title.

1. The title of these regulations is the Registration and Licensing of Motor Vehicles (Amendment) Regulations, 2011 and they shall be read and construed as one with the Registration and Licensing of Motor Vehicles Regulations, 2009, hereinafter referred to as "the principal regulations".

L.N. 198 of 2009.

Amends regulation 2 of the principal regulations.

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

(a) for the definition "brought into Malta" there shall be substituted the following:

" "brought into Malta" has the same meaning as assigned to it in article 2 of the Act;";

(b) immediately after the definition "Directive 1999/37/EC" there shall be inserted the following new definition:

" "Directive 70/220/EEC" means Council Directive 70/220/EEC of the 20th March, 1970 on the approximation of the laws of the Member States on measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles;";

(c) immediately after the definition "Directive 80/1268/EEC" there shall be inserted the following new definitions:

" "Directive 2002/24/EC" means Directive 2002/24/EC of the European Parliament and of the Council of 18 March, 2002 relating to the type-approval of two or three-wheeled motor vehicles;

"Directive 2005/55/EC" means Directive 2005/55/EC of the European Parliament and of the Council of 28 September, 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles;";

(d) immediately after the definition "Directive 2006/12/EC" there shall be inserted the following new definition:

" "Directive 2007/46/EC" means Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicle;";

(e) the definition "gross vehicle weight (g.v.w.)" shall be deleted;

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

" "hire" shall include the long-term lease of a vehicle covered by a lease agreement;";

(g) immediately after the definition "licence" there shall be inserted the following new definition:

" "light passenger transport vehicle" means any M1 motor vehicle licensed to be used for the carriage of persons against payment, other than a taxi;";

(h) immediately after the definition "Malta Environment and Planning Authority" there shall be inserted the following new definition:

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" "maximum authorised mass" means the maximum technically permissible laden mass of a motor vehicle as stated by the manufacturer;";

(i) in the definition "motor vehicle for leasing" for the words "for leasing" there shall be substituted the words "for hire";

(j) immediately after the definition "partnership" there shall be inserted the following new definition:

" "passenger transport vehicle" means any M2 or M3 motor vehicle used for the carriage of persons against payment;";

(k) the definition "public hire vehicle" shall be deleted;

(l) immediately after the definition "rebuilt motor vehicle" there shall be inserted the following new definition:

" "reference mass" means the mass of the vehicle in running order less the uniform mass of the driver of 75 kg and increased by a uniform mass of 100 kg;";

(m) the definition "self-drive motor vehicle" shall be deleted; and

(n) for the definition "taxicar" there shall be substituted the following:

" "taxi" means a passenger motor vehicle which may carry no more than five passengers in addition to the driver, which is fitted with a taximeter, and which is licensed to stand and ply for hire as a taxi;".

Amends regulation 4 of the principal regulations.

3. Sub-regulation (1) of regulation 4 of the principal regulations shall be amended as follows:

(a) in paragraph (a) thereof, for the words "in the case of M1 vehicles and cycles" there shall be substituted the words "in accordance with Directive 2007/46/EC in respect of M1 vehicles and in accordance with Directive 2002/24/EC, as amended, in respect of cycles";

(b) paragraph (c) thereof shall be deleted;

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(c) paragraphs (d) and (e) thereof shall be renumbered as paragraphs (f) and (g) respectively;

(d) paragraph (b) thereof shall be renumbered as paragraph (e);

(e) immediately after paragraph (a) thereof, there shall be inserted the following new paragraph (b):

"(b) a declaration by the manufacturer in respect of an M2 or M3 vehicle confirming that the vehicle complies with the emission level standards established under Directive 70/156/EEC, as amended, or a Certificate of Conformity after the entry into force of the provisions of Directive 2007/46/EC for each of those categories of motor vehicles,";

(f) immediately after new paragraph (b) thereof, there shall be inserted the following new paragraph (c):

"(c) in respect of –

(1) an N1 (Class I – with a reference mass not exceeding 1,305 kg) vehicle a declaration by the manufacturer confirming that the vehicle complies with the emission level standards established under Regulation (EC) No 715/2007, as amended, or a Certificate of Conformity after the entry into force of the provisions of Directive 2007/46/EC for that class of motor vehicles,

(2) an N1 (Class II – with a reference mass exceeding 1,305 kg but not more than 1,760 kg, and Class III – with a reference mass exceeding 1,760 kg) vehicle a declaration by the manufacturer confirming that the vehicle complies with the emission level standards established under Directive 70/220/EEC as amended, or a Certificate of Conformity after the entry into force of the provisions of Directive 2007/46/EC for each of those classes of motor vehicles,";

(g) immediately after new paragraph (c) thereof, there shall be inserted the following new paragraph (d):

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"(d) in respect of N2 and N3 vehicles, a declaration by the manufacturer confirming that the vehicle complies with the emission level standards in accordance with Directive 2005/55/EC, as amended, or a Certificate of Conformity after the entry into force of the provisions of Directive 2007/46/EC for each of those categories of motor vehicles,";

(h) in paragraph (f) as renumbered, for the words "gross vehicle weight" there shall be substituted the words "maximum authorised mass"; and

(i) in the provisos to paragraph (g) as renumbered, for the words "fifteen days", wherever they appear, there shall be substituted the words "twenty days".

Amends regulation 6 of the principal regulations.

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

(a) in sub-regulation (2) thereof, for the words "fifteen days" there shall be substituted the words "twenty days";

(b) in sub-regulation (3) thereof, for the words "fifteen-day period" there shall be substituted the words "twenty-day period"; and

(c) sub-regulation (4) thereof shall be amended as follows:

(a) in paragraph (b) thereof, for the words "gross vehicle weight" there shall be substituted the words "maximum authorised mass";

(b) in paragraph (g) thereof, for the words "g.v.w." there shall be substituted the words "maximum authorised mass";

(c) paragraph (i) thereof shall be renumbered as paragraph (j); and

(d) immediately after paragraph (h) thereof there shall be inserted the following new paragraph:

"(i) in respect of M1 vehicles purchased from another Member State and brought into Malta

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on the 1st April, 2011 or thereafter, a Certificate of Authenticity issued by a body approved by the Authority showing the vehicle's authentic odometer reading:

Provided that where no such body has been approved by the Authority and no such Certificate of Authenticity may be provided, the Authority may request additional documentation and may carry out checks to confirm the authenticity of the odometer reading:

Provided further that the Authority may verify the odometer reading of any used vehicle brought into Malta from another Member State on or after the 1st January, 2010, with any approved body and where it results that a discrepancy exists between the vehicle's actual odometer reading recorded at inspection stage by the Authority and the authentic certificate, the registered owner of the vehicle shall pay –

(1) the additional registration tax due being the difference between the registration tax paid upon the registration of the vehicle and the registration tax which would have been due if the discrepancy did not exist, and

(2) an administrative fine, to the Authority, which shall be equal to the amount of the additional registration tax as specified under sub-paragraph (1).".

Amends regulation 27 of the principal regulations.

5. Regulation 27 of the principal regulations shall be amended as follows:

(a) in sub-regulation (3) thereof, for the words "public transport vehicle" there shall be substituted the words "passenger transport vehicle";

(b) in sub-regulation (5) thereof, for the words "An M3 vehicle" there shall be substituted the words "An M2 or an M3 vehicle", and in the proviso thereto for the words "any M3 vehicle" there shall be substituted the words "any M2 or M3 vehicle"; and

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(c) in sub-regulation (6) thereof, for the words "public transport vehicle" there shall be substituted the words "passenger transport vehicle".

6. Sub-regulation (1) of regulation 31 of the principal regulations shall be amended as follows:

Amends regulation 31 of the principal regulations.

(a) for the words "public transport vehicles, vehicles used for the carriage of goods and motor hearses" there shall be substituted the words "vehicles used for hire or for reward";

(b) in paragraph (ii) thereof, for the words "CY in the case of coaches" there shall be substituted the words "PY in the case of passenger transport vehicles other than route buses";

(c) in paragraph (iii) thereof, for the words "MY in the case of minibuses and midibuses" there shall be substituted the words "LY in the case of light passenger transport vehicles";

(d) in paragraph (iv) thereof, for the words "SY in the case of special minibuses" there shall be substituted the words "XY in the case of vintage buses";

(e) in paragraph (v) thereof, for the words "VY in the case of vans" there shall be substituted the words "GV in the case of N1 vehicles with a seating capacity of not more than two persons";

(f) paragraph (vi) thereof shall be deleted;

(g) paragraphs (vii) to (xiv) thereof, shall be renumbered as paragraphs (vi) to (xiii) respectively;

(h) for paragraph (vi) as renumbered, there shall be subtituted the following:

"(vi) the letters TAXI M followed by three numerical figures in respect of taxis operated in Malta;";

(i) for paragraph (vii) as renumbered, there shall be substituted the following:

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"(vii) the letters TAXI G followed by three numerical figures in respect of taxis operated in Gozo;";

(j) for paragraph (viii) as renumbered, there shall be substituted the following:

"(viii) the letters CABS in the case of electric mini cabs;"; and

(k) in paragraph (ix) as renumbered, the words "long term" shall be deleted.

Amends regulation 36 of the principal regulations.

7. Regulation 36 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, for the words "may issue 'Trial Run' plates" there shall be substituted the words "may issue to authorised dealers 'Trial Run' plates" and immediately after the words "of a fee of fifty euro (€50)" there shall be added the words "and the presentation of the licence to act as a vehicle trader or dealer issued under the Police Licences Regulations"; and

G.N. 846 of 1949.

(b) in sub-regulation (2) thereof, for the words "shall be used by" there shall be substituted the words "shall be used only by".

Amends the First Schedule to the principal regulations.

8. In the First Schedule to the principal regulations, immediately after the Type and Description applicable to "Special Numeric and Alphabetical Format" there shall be added the following:

"Registration marks allotted to taxis	Composed as prescribed in the Taxi Services Regulations, 2010 (L.N. 369 of 2010). Fee payable to the Authority: €60

".

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