L.N. 9 of 1984

TRAFFIC REGULATION ORDINANCE (CAP. 105)

Motor Vehicles (Amendment) (No. 2) Regulations, 1984

IN EXERCISE of the powers conferred by section 16 of the Traffic Regulation Ordinance, the Commissioner of Police, on the advice of the Traffic Control Board, has made the following regulations:—

Citation and commencement.

G.N. 24 of 1948

1. (1) These regulations may be cited as the Motor Vehicles (Amendment) (No. 2) Regulations, 1984, and shall be read and construed as one with the Motor Vehicles Regulations, 1948, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on the first day of February, 1984.

Amends regulation 35 of the principal regulations.

2. In regulation 35 of the principal regulations for the words "at least two years" there shall be substituted the words "at least five years".

Substitutes regulation 37 of the principal regulations.

3. For regulation 37 of the principal regulations there shall be substituted the following:

"37. (1) Motor driving licences shall be classified under six Groups, namely:

Group 1: Private Car driving licence

Group 2: Motor cycle driving licence

Group 3: Garage Hire and Taxi Car driving licence

Group 4: Motor Omnibus driving licence

Group 5: Invalid Carriages or Agricultural Machine driving licence

Group 6: Motor Tractor and Trailer driving licence.

(2) No person shall drive a private car, a self-drive car, motor hearse, goods vehicle with a carrying capacity not exceeding 5 tonnes, private vehicles with an engine capacity not exceeding 600 cm^3 adapted to be driven by handicapped persons, or a motor cycle, without a licence from the Commissioner of Police under Group 2 in the case of motor cycles and Group 1 in all other cases. Such licence shall not be granted or renewed to any person unless he is over 18 years of age and in the opinion of the Commissioner of Police, is of good character, has a good knowledge of the relevant regulations regarding motor vehicles and is a competent driver:

Provided that in the case of a licence issued to a handicapped person the motor vehicle shall be adapted to the nature of the disability and the licence shall be endorsed accordingly.

(3) No person shall drive a Garage Hire car or a Taxi car without a licence from the Commissioner of Police under Group 3. Such licence shall not be granted or renewed to any person unless:

(a) he is over 21 years of age;

(b) in the opinion of the Commissioner of Police he is of good character, is physically fit, has a good knowledge of the relevant regulations regarding motor vehicles, is competent to drive such vehicles and has held a licence under Group 1 for a period of not less than three years;

(c) he satisfies the Commissioner of Police regarding his knowledge of the whereabouts of places of interest and of other places normally required to be known by such a driver; and

(d) he produces a medical certificate of physical fitness at the age of 50 years or at the first renewal after reaching that age, and every five years thereafter until the age of 60, after which, such medical certificate shall be produced annually prior to renewal of the licence.

(4) (a) No person shall drive a motor omnibus without a licence from the Commissioner of Police under Group 4. Such licence shall not be granted or renewed to any person unless:

(i) he is over 21 years of age;

(ii) in the opinion of the Commissioner of Police he is of good character, is physically fit, has a good knowledge of the relevant regulations regarding motor vehicles and is competent to drive such vehicles; and has held a driving licence under Group 1 for a period of not less than three years;

(iii) he satisfies the Commissioner of Police regarding his knowledge of the whereabouts of places of interest and of other places normally required to be known by such a driver;

(iv) he produces a medical certificate of physical fitness at the age of 50 years or at the first renewal after reaching that age, and every five years thereafter until the age of 60 after which, such medical certificate shall be produced annually prior to the renewal of the licence.

(b) On the issue of a licence under Group 4, the Commissioner of Police shall allot to the licensee a badge or a medallion, which badge or medallion shall be worn by the licensee in a conspicuous place on his left breast whenever he is making use of the licence.

(c) The said Commissioner shall not issue or renew any licence under this Group unless the applicant shows to the satisfaction of the said Commissioner that he intends being actually occupied in driving a motor omnibus plying in the public transport (scheduled or unscheduled) and that such occupation is shown on his identity card and on his work book.

(d) Where a licensee under this Group ceases to work as a driver of a motor omnibus plying in the public transport (scheduled or unscheduled), for any reason whatsoever including sickness (other than sickness of a short duration), he shall immediately surrender to the said Commissioner his badge or medallion, and he shall not, thereafter, be given that or another badge or

medallion except after he makes an appropriate application therefor.

(e) Any person who drives a motor omnibus without wearing the badge or medallion as prescribed in paragraph (b) of this regulation shall be deemed, for all intents and purposes of law, to be driving a motor omnibus without being in possession of a driving licence.

(5) (a) No person shall drive an invalid carriage with an engine not exceeding 600 cm^3 without a licence under Group 5 from the Commissioner of Police, restricted to the driving of such vehicles, and no person shall drive an agricultural machine with an engine not exceeding 600 cm^3 without a licence under Group 5 from the Commissioner of Police, restricted to the driving of such vehicle.

(b) Such licence shall not be granted to any person unless he is over 16 years of age and in the opinion of the Commissioner of Police he is of good character, has a good knowledge of the relevant regulations regarding motor vehicles and is considered competent to drive such vehicle and in the case of a licence to drive an invalid carriage with an engine not exceeding 600 cm^3, a certificate from the Chief Government Medical Officer regarding his fitness to drive such vehicle is produced.

(c) A licence under Groups 1, 3, 4 and 6 shall be deemed to include a licence under Group 5.

L.N. 50 of 1979

(6) (a) No person shall drive a motor tractor as defined in the Motor Tractors Regulations, 1979, goods vehicles with a carrying capacity exceeding 5 tonnes, any vehicle drawing a trailer of a capacity of 5 tonnes or over or of a length over nine metres, or any combination of trailers with a cumulative capacity of 5 tonnes or over or with a cumulative length of over nine metres, any heavy commercial vehicle as defined in the Motor Tractors Regulations, any combined harvester and other heavy motor driven agricultural plant, any motor driven bowser, motor driven cranes, bulldozer, excavating machine, road roller, and any other motor driven heavy plant whether such heavy plant is industrial, commercial or otherwise, without a licence under Group 6 from the Commissioner of Police.

(b) Such licence shall not be granted, or renewed to any person unless he is over 21 years of age, has held a driving licence under Group 1 for at least three years and in the opinion of the Commissioner of Police he is competent to drive such vehicle, is physically fit and has a good knowledge of the relevant regulations regarding motor vehicles.".

4. Regulations 37A, 38, 38A, 38B, 38C and 38D of the principal regulations shall be deleted.

Deletes regulations 37A, 38, 38A, 38B, 38C and 38D of the principal regulations.

Substitutes regulation 41 of the principal regulations.

5. For regulation 41 of the principal regulations there shall be substituted the following:

"41. The Commissioner of Police may, at any time, during the currency of any licence granted under regulation 37, suspend or revoke a driver's licence if:

(a) such licence has been suspended or revoked or the holder thereof has otherwise been deprived of the right to drive a motor vehicle by a competent authority of a country which is a party to a convention or other international agreement or arrangement covering the deprivation of the right to drive a motor vehicle, to which the Government of Malta is also a party; or

(b) the said Commissioner is satisfied that the holder thereof is physically or medically unable to drive a motor vehicle without risk to the public; or

(c) in the opinion of the Commissioner of Police the holder has ceased to be a person of good character:

Provided that the Commissioner of Police may, unless a revocation or suspension has been ordered by a competent court in Malta, at any time restore a driving licence or revoke such suspension.".

Deletes regulation 41A of the principal regulations.

6. Regulation 41A of the principal regulations shall be deleted.

Transitory provision.

7. A person holding a licence to drive any type of vehicle under the provisions of the principal regulations as in force on the 31st January, 1984, shall be deemed to hold a licence to drive the same type of vehicle in accordance with the provisions of the principal regulations as amended by these regulations, until such time as such licence is due for renewal, or until such person is required by the Commissioner of Police to comply with the provisions of these regulations, whichever is the earlier.

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