

L.N. 14 of 2014**TRAFFIC REGULATION ORDINANCE
(CAP. 65)****Motor Vehicles (Driving Licences) (Amendment)
Regulations, 2014**

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

Citation and
commencement.

S.L.65.18

1. (1) The title of these regulations is the Motor Vehicles (Driving Licences) (Amendment) Regulations, 2014, and these regulations shall be read and construed as one with the Motor Vehicles (Driving Licences) Regulations, hereinafter referred to as "the principal regulations".

(2) Regulations 2 to 10 shall be deemed to have come into force on the 31st December, 2013.

(3) Regulation 11 shall come into force on the 1st March, 2014.

Amends
regulation 2 of
the principal
regulation.

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

(a) in the definition "the Directive", for the words "and Commission Directive 2011/94/EU of 28th November, 2011" there shall be substituted the words "Commission Directive 2011/94/EU of 28 November, 2011, Commission Directive 2012/36/EU of 19 November, 2012 and Commission Directive 2013/47/EU of 2 October, 2013";

(b) the definition "g.v.w" shall be deleted; and

(c) the definition "gross vehicle weight" shall be deleted.

Amends
regulation 35 of
the principal
regulations.

3. In regulation 35 of the principal regulations for the words "the Public Transport Directorate", there shall substituted the words "the Authority".

Amends
regulation 36 of
the principal
regulations.

4. In sub-regulation (2) of regulation 36 of the principal regulations, immediately after the words "or a court" there shall be added the words "or a Commissioner of Justice".

5. Regulation 44 of the principal regulations shall be amended as follows:

Amends regulation 44 of the principal regulations.

(a) sub-regulation (1) thereof shall be substituted by the following:

"(1) Full driving licences shall have an administrative validity of -

(a) ten years in respect of a licence issued for categories AM, A1, A2, A, B, B1 and BE:

Provided that where the holder of any such licence has reached the age of seventy years, that licence shall have an administrative validity of five years;

(b) five years in respect of a licence issued for categories C, CE, C1, C1E, D, DE, D1 and D1E."; and

(b) sub-regulation (1A) thereof shall be substituted by the following:

"(1A) A full driving licence shall be granted or renewed against payment of the relevant fee as provided for in the Ninth Schedule.".

6. Sub-regulation (2) of regulation 74 of the principal regulations shall be substituted by the following:

Amends regulation 74 of the principal regulations.

"(2) The nature of the examination shall be as prescribed in the Eleventh Schedule.".

7. The Third Schedule to the principal regulations shall be substituted by the following:

Substitutes the Third Schedule to the principal regulations.

"THIRD SCHEDULE

(Regulation 26)

Minimum technical requirements for vehicles used
in the tests of skills and behaviour

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Category	Minimum technical requirements
A1	<p>Category A1 motorcycle without sidecar, with a power rating not exceeding 11 kW and with a power to weight ratio not exceeding 0.1 kW/kg, and capable of a speed of at least 90 km/h.</p> <p>If the motorcycle is powered by an internal combustion engine, the cylinder capacity of the engine shall be at least 115 cm³.</p> <p>If the motorcycle is powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0.08 kW/kg.</p>
A2	<p>Motorcycle without sidecar, with a power rating of at least 20 kW but not exceeding 35 kW and with a power to weight ratio not exceeding 0.2 kW/kg.</p> <p>If the motorcycle is powered by an internal combustion engine, the cubic capacity of the engine shall be at least 395 cm³.</p> <p>If the motorcycle is powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0.15 kW/kg.</p>
A	<p>Until the 31st December, 2018, motorcycle without sidecar, whose unladen mass is below 180 kg, and with a power rating of at least 40 kW and below 50 kW.</p> <p>As from the 1st January, 2019 motorcycle without sidecar, whose unladen mass is more than 175 kg, with a power rating of at least 50 kW.</p> <p>If the motorcycle is powered by an internal combustion engine, the cubic capacity of the engine shall be at least 595 cm³.</p> <p>If the motorcycle is powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0.25 kW/kg.</p>
B	<p>A four-wheeled category B vehicle capable of a speed of at least 100 km/h.</p>

BE	A combination, made up of a category B test vehicle and a trailer with a maximum authorised mass of at least 1,000 kg, capable of a speed of at least 100 km/h, which does not fall within category B; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the motor vehicle; the closed box body may also be slightly less wide than the motor vehicle provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum of 800 kg real total mass.
B1	A motor-powered quadricycle capable of a speed of at least 60 km/h.
C	A category C vehicle with a maximum authorised mass of at least 12,000 kg, a length of at least 8m, a width of at least 2.4 m and capable of a speed of at least 80 km/h; fitted with anti-lock brakes, equipped with a transmission system providing for a manual selection of gears by the driver and recording equipment as defined by Regulation (EEC) No 3821/85; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; the vehicle shall be presented with a minimum of 10,000 kg real total mass.
CE	Either an articulated vehicle or a combination of a category C test vehicle and a trailer of at least 7.5 m in length; both the articulated vehicle and the combination shall have a maximum authorised mass of at least 20,000 kg, a length of at least 14 m and a width of at least 2.4 m, shall be capable of a speed of at least 80 km/h, fitted with anti-lock brakes, equipped with a transmission system providing for a manual selection of gears by the driver and with recording equipment as defined by Regulation (EEC) No 3821/85; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; both the articulated vehicle and the combination shall be presented with a minimum of 15,000 kg real total mass.
C1	A category C1 vehicle with a maximum authorised mass of at least 4,000 kg, with a length of at least 5m and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EEC) No 3821/85; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab.

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C1E	A combination made up of a category C1 test vehicle and a trailer with a maximum authorised mass of at least 1,250 kg; this combination shall be at least 8m in length and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the cab; the closed box body may also be slightly less wide than the cab provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum of 800 kg real total mass.
D	A category D vehicle with a length of at least 10m, a width of at least 2.40m and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EEC) No 3821/85.
DE	A combination made up of a category D test vehicle and a trailer with a maximum authorised mass of at least 1,250 kg, a width of at least 2.40m and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least 2m wide and 2m high; the trailer shall be presented with a minimum of 800 kg real total mass.
D1	A category D1 vehicle with a maximum authorised mass of at least 4,000 kg, with a length of at least 5m and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EEC) No 3821/85.
D1E	A combination made up of a category D1 test vehicle and a trailer with a maximum authorised mass of at least 1,250 kg and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least 2m wide and 2m high; the trailer shall be presented with a minimum of 800 kg real total mass."

Amends the Fourth Schedule to the principal regulations.

8. Item 2 of Section B of the Fourth Schedule to the principal regulations shall be amended as follows:

(a) paragraph (a) thereof shall be substituted by the following:

"(a) rules on driving hours and rest periods as defined by Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March, 2006 on the harmonisation of certain social legislation relating to road transport; use of the recording equipment as defined by Regulation (EEC) No 3821/85 on recording equipment in road transport;" and

(b) in paragraph (j) thereof, for the words "(categories D, D+E, D1, D1+E only)." there shall be substituted the words "(categories D, DE, D1, D1E only); and"; and immediately thereafter there shall be added the following new paragraph:

"(k) applicants for a licence for a category C1 or C1E vehicles outside the scope of Regulation (EEC) No 3821/85 shall be exempt from demonstrating their knowledge of the subjects listed in paragraphs (a) and (c).".

9. The Fifth Schedule to the principal regulations shall be amended as follows:

Amends the Fifth Schedule to the principal regulations.

(a) item 1 thereof shall be substituted by the following:

"1. Vehicle transmission

(a) The driving of a vehicle with manual transmission shall be subject to the passing of a skills and behaviour test taken on a vehicle with manual transmission.

"Vehicle with manual transmission" means a vehicle in which a clutch pedal (or lever operated manually for categories A, A2 and A1) is present and must be operated by the driver when starting or stopping the vehicle and changing gears.

(b) Vehicles that do not meet the criteria laid down in paragraph (a) shall be considered to have automatic transmission.

Without prejudice to paragraph (c), if an applicant takes the test of skills and behaviour on a vehicle with automatic transmission this shall be recorded on any licence issued on the basis of such a test. Licences with this indication shall be used only for driving vehicles with automatic transmission.

(c) The vehicles used in tests of skills and behaviour shall comply with the minimum criteria laid down in the Third Schedule.";

(b) in sub-paragraph (iv) of paragraph (a) of item 4 thereof, for the words "Regulation (EEC) No 3821/85", there shall be substituted the words "Regulation (EEC) No 3821/85.

This latter requirement does not apply to the applicants for a driving licence for a category C1 or C1E vehicle not falling within the scope of this Regulation";

(c) items 5 to 7 thereof shall be renumbered as items 6 to 8 respectively;

(d) immediately after item 4 thereof there shall be added the following:

"5. Safe and energy-efficient driving

Driving in such a way as to ensure safety and to reduce fuel consumption and emissions during acceleration, deceleration, uphill and downhill driving, when necessary by selecting gears manually."; and

(e) sub-paragraph (ii) of paragraph (c) of item 6 thereof, as renumbered, shall be substituted by the following:

"(ii) Driving economically and in a safe and energy-efficient way, taking into account the revolutions per minute, changing gears, braking and accelerating (categories B, BE, C, CE, C1, C1E, D, DE, D1, D1E only);".

Amends the
Seventh
Schedule to the
principal
regulations.

10. The Seventh Schedule to the principal regulations shall be amended as follows:

(a) code 04 thereof shall be deleted;

(b) sub-code 10.02 shall be substituted by the following:

"	10.02	Automatic transmission	";
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(c) sub-code 15.01 shall be substituted by the following:

"	15.01	Adjusted gear-shift lever	";
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(d) immediately after code 45 there shall be added the following new code:

"	46	Tricycles only	";
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(e) in code 70, immediately after the words "of a third

country" there shall be added the words "e.g. 70.0123456789.NL";

(f) in code 71, immediately after the words "of a third country" there shall be added the words "e.g. 71.987654321.HR";

(g) code 72 shall be deleted;

(h) code 73 shall be substituted by the following:

"		73	Restricted to category B vehicles of the motor quadricycle type (B1)	";
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(i) codes 74 to 77 shall be deleted;

(j) code 78 shall be substituted by the following:

"		78	Restricted to vehicles with automatic transmission	";
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(k) code 79 shall be substituted by the following:

"		79	(....) Restricted to vehicles which comply with the specifications indicated in brackets, in the context of the application of Article 13 of Directive 2006/126/EC	
		79.01	Restricted to two-wheel vehicles with or without a side-car	
		79.02	Restricted to category AM vehicles of the three-wheel or light quadricycle type	
		79.03	Restricted to tricycles	
		79.04	Restricted to tricycles combined with a trailer having a maximum authorised mass not exceeding 750 kg	
		79.05	Category A1 motorcycle with a power/weight ratio above 0.1 kW/kg	
		79.06	Category BE vehicle where the maximum authorised mass of the trailer exceeds 3,500 kg	";

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(l) immediately after code 79 there shall be added the following new codes:

"	80	Restricted to holders of a driving licence for a category A vehicle of the motor tricycle type not having reached the age of 24 years	";
	81	Restricted to holders of a driving licence for a category A vehicle of the two-wheel motorcycle type not having reached the age of 21 years	
	90	Codes used in combination with codes defining modifications of the vehicle	

(m) sub-codes 90.01 to 90.07 shall be deleted;

(n) the sub-title "PROFESSIONAL COMPETENCE" shall be deleted;

(o) code 95 shall be substituted by the following:

"	95	Driver holding a CPC which meets the obligation of professional aptitude provided for by Directive 2003/59/EC until [e.g. 95 (01.01.12)]	";

and

(p) immediately after code 95 there shall be added the following new codes:

"	96	Category B vehicles combined with a trailer with a maximum authorised mass exceeding 750 kg where the maximum authorised mass of such combination exceeds 3,500 kg but does not exceed 4,250 kg	";
	97	Not authorised to drive a category C1 vehicle which falls within the scope of Council Regulation (EEC) No. 3821/85 of 20 December, 1985 on recording equipment in road transport	

11. The Ninth Schedule to the principal regulations shall be substituted by the following:

Substitutes the Ninth Schedule to the principal regulations.

"NINTH SCHEDULE

(Regulations 37 and 51)

Driving licences fees*, authorisation fees and administrative charges

Description	Licence fee €	Administrative charge/ Authorisation Charge €
Probationary driving licence for a period of three years	21.00	10
Driving licence for a period of five years (other than for drivers aged 70 years and over)	35.00	10
Driving licence for a period of five years in respect of drivers aged 70 years and over	23.25	6
Driving licence for a period of ten years	70.00	10
Issue of an International Driving Permit	23.25	10
Issue or renewal of a driving licence to a person with a disability, falling under the Social Security Act (Cap. 318), to drive a specially adapted motor vehicle	Nil	Nil
Issue of a duplicate driving licence for a lost, stolen or defaced valid driving licence	Nil	10
Issue of a driving licence card within 24 hours	Nil	25
Issue of a duplicate driving licence due to any alteration in the data contained in the photocard driving licence	Nil	10
Application to acquire a driving licence	Nil	23.25
Application to undertake theory test	Nil	30.25
Application for a re-sit of the theory test	Nil	22.50
Application to undertake practical test during weekdays	Nil	23.25
Application to undertake practical test on Saturday	Nil	40
Adding new category to driving licence	Nil	10
Registration to act as driving instructor per annum	Nil	12
Application to take the driving instructor test	Nil	23.25
Authorisation to operate as a motoring school per annum	Nil	120
Taking of affidavit or declaration for loss of licence, authorisation, certificate or any other document	Nil	8
<i>* Licence fees received by the Authority under these regulations shall be on account of the Consolidated Fund.</i>		

