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L.N. 422 of 2016**TRAFFIC REGULATION ORDINANCE
(CAP. 65)****Motor Vehicles (Weights, Dimensions and Equipment)
(Amendment) Regulations 2016**

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

Citation.

S.L. 65. 21.

1. The title of these regulations shall be the Motor Vehicles (Weights, Dimensions and Equipment) (Amendment) Regulations, 2016 and these regulations shall be read and construed as one with the Motor Vehicles (Weights, Dimensions and Equipment) Regulations, hereinafter referred to as "the principal regulations".

2. The scope of these regulations is to transpose Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic.

Amends the
"Arrangements
of Regulations".

3. The "Arrangement of Regulations" shall be amended as follows:

(a) immediately after Part VI thereof there shall be added "Part VII" entitled "Installation of On-Board Weighing Equipment";

(b) in the part entitled "Schedules" immediately after "Fourth Schedule" there shall be added the following:

" "Fifth Schedule" entitled "Type-Approval of Aerodynamic Devices";

"Sixth Schedule" entitled "Conditions Relating To Equivalence Between Certain Non-Air Suspension Systems And Air Suspension For Vehicle Driving Axle(s)".

Amends
regulation 2 of
the principal
regulations

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

(a) immediately after the definition "advanced recording equipment" there shall be added the following new definitions:

"alternative fuels" means fuels or power sources which serve, at least partly, as a substitute for fossil oil sources in the energy supply to transport and which have the potential to contribute to its decarbonisation and enhance the environmental performance of the transport sector, consisting of:

(a) electricity consumed in all types of electric vehicles;

(b) hydrogen;

(c) natural gas, including biomethane in gaseous form (Compressed Natural Gas – CNG) and liquefied form (Liquefied Natural Gas – LNG);

(d) Liquefied Petroleum Gas (LPG);

(e) mechanical energy from on-board storage/on-board sources, including waste heat;

"alternatively fuelled vehicle" means a motor vehicle powered wholly or in part by an alternative fuel and which has been approved under the framework of Directive 2007/46/EC;"

(b) in the Maltese text thereof, the definition "Bus" shall be substituted by the following:

" 'xarabank' tfisser vettura b'iktar minn disa' siggijiet inkluż is-siggu tax-xufier, mibnija u mgħammra biex iġġorr passigġieri u l-bagalji tagħhom. Jista' jkollha sular wiehed jew tnejn u tista' wkoll iġġorr trailer tal-bagalji";

(c) immediately after the definition "company data card" there shall be added the following new definition:

" "conditioned vehicle" means any vehicle whose fixed or movable superstructures are specially equipped for the carriage of goods at controlled temperatures and whose side walls, inclusive of insulation, are each at least 45 mm thick;"

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(d) immediately after the definition "data memory" there shall be added the following new definitions:

" "Directive 96/53/EC" means Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic;

"Directive (EU) 2015/719" means Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorized weights in international traffic;";

(e) immediately after the definition "gross vehicle weight" there shall be added the following new definitions:

" "indivisible load" means a load that cannot, for the purpose of carriage by road, be divided into two or more loads without undue expense or risk of damage and which owing to its dimensions or mass cannot be carried by a motor vehicle, trailer, road train or articulated vehicle complying with these regulations in all respects;

"intermodal transport operation" means:

(a) the combined transport operations defined in Article 1 of Council Directive 92/106/EEC engaged in the transport of one or more containers or swap bodies, up to a maximum length of 45 feet; or

(b) transport operations engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet, using waterborne transport, provided that the length of the initial or the final road leg does not exceed 150 km in the territory of the Union. The distance of 150 km referred to above may be exceeded in order to reach the nearest suitable transport terminal for the envisaged service in the case of:

(i) vehicles complying with point 2.2.2(a) or (b) of the First Schedule; or

(ii) vehicles complying with point 2.2.2(c) or (d) of the First Schedule, in cases where such distances are permitted in the relevant Member State.

For intermodal transport operations, the nearest suitable transport terminal providing service may be located in a Member State in which the shipment was loaded or unloaded;"

(f) in the definition "maximum authorized dimensions" the words "and Second Schedules" shall be deleted;

(g) the definition "motor vehicle" shall be substituted by the following:

" "motor vehicle" means any power-driven vehicle which travels on the road by its own means";

(h) the definition "semi-trailer" shall be substituted by the following:

" "Semi-trailer" means any vehicle intended to be coupled to a motor vehicle in such a way that part of it rests on the motor vehicle with a substantial part of its weight and of the weight of its load being borne by the motor vehicle, and constructed and equipped for the carriage of goods";

(i) immediately after the definition "Semi-trailer" as substituted there shall be added the following new definition:

" "shipper" means a legal entity or a natural or legal person who is named on the bill of lading or on an equivalent transport document, such as a "through" bill of lading, as the shipper and, or in whose name or on whose behalf a contract of carriage has been concluded with the transport company";

(j) the definition "trailer" shall be substituted by the following:

" "trailer" means any vehicle intended to be

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coupled to a motor vehicle excluding semi-trailers, and constructed and equipped for the carriage of goods";

(k) in the Maltese text thereof, the definition "tunnellata" shall be substituted by the following:

" "tunnellata" tfisser il-piż esegwit bil-massa ta' tunnellata metrika u għandha tikkorrispondi għal 9.8 kilonewtons (kN);".

Amends
regulation 8 of
the principal
regulations.

5. In regulation 8 of the principal regulations the words "or registered in another State and used for circulation in Malta" shall be deleted."

Amends
regulation 9 of
the principal
regulations.

6. Regulation 9 of the principal regulations shall be renumbered as 9(1) and immediately after sub-regulation (1) as renumbered there shall be added the follow new sub-regulations:

"(2) The maximum lengths laid down in point 1.1 of the First Schedule, subject where applicable to regulation 12B, and the maximum distance laid down in point 1.6 of the First Schedule, may be exceeded by 15cm for vehicles or vehicle combinations engaged in the transport of 45-foot containers or 45-foot swap bodies, empty or loaded, provided that the road transport of the container or swap body in question is part of an intermodal transport operation.

(3) The maximum authorised weights of alternatively fuelled vehicles shall be those set out in points 2.3.1, 2.3.2 and 2.4 of the First Schedule.

(4) Alternatively fuelled vehicles shall also comply with the maximum authorised axle weight limits set out in point 3 of the First Schedule.

(5) Articulated vehicles put into circulation before 1 January 1991 which do not comply with the specifications contained in points 1.6 and 4.4 of the First Schedule shall be deemed to comply with such specifications for the purposes of regulation 11 u 12 respectively if they do not exceed a total length of 15.50m."

Amends
regulation 11 of
the principal
regulation.

7. Regulation 11 of the principal regulations shall be amended as follows:

(a) in the marginal note thereof the words "Passenger transport" shall be substituted by the words "International transport of"; and

(b) the words "Passenger transport vehicles (categories M2 and M3 and their trailers in categories 03 and 04) registered" shall be substituted by the words "Vehicles registered".

8. Immediately after regulation 12 of the Principal Regulation there shall be added the following new regulations:

Adds new regulations 12A and 12B to the principal regulations.

"Vehicles or vehicle combinations equipped with aerodynamic devices.

12A. (1) Vehicles or vehicle combinations which are equipped with aerodynamic devices meeting the requirements laid down in paragraphs 1 and 2 of the Fifth Schedule, and which comply with Directive 2007/46/EC, may exceed the maximum lengths provided for in point 1.1 of the First Schedule, to allow the addition of such devices to the rear of vehicles or vehicle combinations. Vehicles or vehicle combinations equipped with such devices shall comply with point 1.5 of the First Schedule, and any exceeding of the maximum lengths shall not result in an increase in the loading length of those vehicles or vehicle combinations.

(2) Regulation 12A shall come into force on such date as the Minister responsible for transport may by notice in the Gazette appoint, and different dates may be so appointed for different provisions and different purposes of these Regulations.

Vehicles or vehicle combinations may exceed the maximum lengths.

12B. (1) Vehicles or vehicle combinations which fulfil the requirements laid down in paragraph 1 of the Sixth Schedule and which comply with Directive 2007/46/EC may exceed the maximum lengths laid down in point 1.1 of the First Schedule provided that their cabs deliver improved aerodynamic performance, energy efficiency and safety performance. Vehicles or vehicle combinations equipped with such cabs shall comply with point 1.5 of the First Schedule and any exceeding of the maximum lengths shall not result in an increase in the load capacity of those vehicles.

(2) Regulation 12B shall come into force on such date as the Minister responsible for transport may by notice in the Gazette appoint, and different dates may be so appointed for different provisions and different purposes of these Regulations."

9. Regulation 14 of the principal regulation shall be amended as follows:

Amends regulation 14 of the principal regulation.

(a) the words "Goods and passenger transport vehicles in the categories referred to in this Part complying with these

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regulations" in sub-regulation (1) thereof shall be substituted by the words "Motor vehicles in categories M2 and M3 and their trailers in category 0 and motor vehicles in categories N2 and N3 and their trailers in categories 03 and 04";

(b) sub-regulations (2) and (3) thereof shall be renumbered as sub-regulations (3) and (4) respectively and immediately after sub-regulation (1) there shall be added the following new sub-regulation:

"(2) The additional weight required by alternatively fuelled vehicles shall be defined on the basis of the documentation provided by the manufacturer when the vehicle in question is approved. That additional weight shall be indicated in the official proof required in accordance with sub-regulation (1).";

(c) immediately after sub-regulation (4) as renumbered there shall be added the following new sub-regulations:

"(5) Vehicles carrying proof of compliance may be subject:

(a) as regards common standards on weights, to random checks;

(b) as regards common standards on dimensions, only to checks where there is a suspicion of non-compliance with these regulations;

(6) The middle column of the proof of compliance relating to weights shall contain, where appropriate, the Community weight standards applicable to the vehicle in question. As regards vehicles referred to in point 2.2.2 (c) of the First Schedule, the entry '44 tonnes' shall be included in brackets under the maximum authorized weight of the vehicle combination.

(7) The Authority may decide, in respect of any vehicle registered or put into circulation, that the maximum weights authorized by national legislation shall be indicated in the proof of compliance in the left-hand column and the technically permissible weights in the right-hand column."

10. Part VII of the principal regulations, shall be substituted by the following:

Substitutes Part VII of the principal regulations.

"PART VII

Installation of On-Board weighing Equipment

Objective.

67. This part implements Directive (EU) 2015/719 on-Board Weighing Equipment with regard to certain categories of motor vehicles in the Community.

Vehicles or vehicle combinations registered in another Member State. Automatic systems.

68. The Authority shall not require on-board weighing equipment to be installed on vehicles or vehicle combinations which are registered in another Member State.

69. Where automatic systems are used to establish infringements of these regulations and to impose penalties, such automatic systems shall be certified. Where automatic systems are used only for identification purposes, they need not be certified.

Number of checks.

70. The Authority shall carry out each calendar year an appropriate number of checks on the weight of vehicles or vehicle combinations in circulation, proportionate to the total number of vehicles inspected each year in its territory.

Exchange of information.

71. The Authority shall, in accordance with Article 18 of Regulation (EC) No 1071/2009, ensure that there is exchange of information with other competent authorities about infringements and penalties relating to this Article.

On-board weighing equipment.

72. The on-board weighing equipment referred to in regulation 67 shall be accurate and reliable, fully interoperable and compatible with all vehicle types."

11. The First Schedule of the principal regulations shall be amended as follows:

Amends the First Schedule of the principal regulations.

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

"

1	Maximum authorised dimensions (m)	
1.1	<i>Maximum length:</i>	
	- motor vehicle	12.00 m
	- trailer	12.00 m
	- articulated vehicle	16.50 m
	- road train	18.75 m
	- articulated bus	18.00 m

";

(b) point 1.21 thereof shall be substituted by the following:

"

1.2	<i>Maximum width</i>	
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	(a) all vehicles except the vehicles referred to in 1.2(b) below	2.55 m
	(b) superstructures of conditioned vehicles or conditioned containers or swap bodies transported by vehicles:	2.6 m

(c) point 2.2.2 thereof shall be substituted by the following:
"

2.2.2	Articulated vehicles with five or six axles	
	(a) two-axle motor vehicle with three-axle semi-trailer	40.0 tonnes
	(b) three-axle motor vehicle with two or three-axle semi-trailer	40.0 tonnes
	(c) two axle motor vehicle with three axle semi-trailer carrying, in intermodal transport operations, one or more containers or swap bodies, up to a total maximum length of 45 feet	42.0 tonnes
	(d) three-axle motor vehicle with two- or three-axle semi-trailer carrying, in intermodal transport operations, one or more containers or swap bodies, up to a total maximum length of 45 feet	44.0 tonnes

(d) points 2.3 and 2.4 thereof shall be substituted by the following:
"

2.3	<i>Motor Vehicles and alternatively fueled motor vehicles</i>	
2.3.1	Two-axle motor vehicles other than buses	18.0 tonnes
2.3.2	Two-axle alternatively fuelled motor vehicles other than buses	the maximum authorised weight of 18tonnes is increased by the additional weight required for the alternative fuel technology with a maximum of 1 tonne
2.3.3	Two-axle buses	19.5 tonnes

2.3.4	Three-axle motor vehicles	25 tonnes, or 26 tonnes where the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Union or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9.5 tonnes
2.3.5	Three-axle alternatively fuelled motor vehicles	the maximum authorised weight of 25 tonnes, or 26 tonnes where the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Union or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9,5 tonnes, is increased by the additional weight required for the alternative fuel technology with a maximum of 1 tonne
2.3.6	Four-axle motor vehicles with two steering axles	32.0 tonnes
2.4	<i>Three-axle articulated buses</i>	28.0 tonnes
2.4.1	Three-axle articulated buses alternatively fuelled	the maximum authorised weight of 28 tonnes is increased by the additional weight required for the alternative fuel technology with a maximum of 1 tonne

".

12. Immediately after the Fourth Schedule to the principal regulations there shall be added the following new schedules:

Adds new Schedules to the principal regulations.

**"FIFTH SCHEDULE
TYPE APPROVAL OF AERODYNAMIC DEVICES WITH THE
AIM SCOPE OF IMPROVING ENERGY EFFICIENCY**

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1. Before being placed on the market, the aerodynamic devices referred to in regulation 12A(1) exceeding 500 mm in length shall be type-approved in accordance with the rules on type-approval within the framework of Directive 2007/46/EC.
 2. The aerodynamic devices referred to in paragraph 1 above shall fulfil the following operational conditions:
 - (a) in circumstances where the safety of other road users or of the driver is at risk, they shall be folded, retracted or removed by the driver;
 - (b) their use on urban and inter urban road infrastructures shall take into account the special characteristics of areas where the speed limit is less than or equal to 50 km/h and where vulnerable road users are more likely to be present; and
 - (c) their use shall be compatible with intermodal transport operations and, in particular, when retracted/folded, they shall not exceed the maximum authorised length by more than 20 cm.
 3. Before being placed on the market, the vehicles referred to in regulation 12B(1) shall be approved in accordance with the rules on type-approval within the framework of Directive 2007/46/EC.
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SIXTH SCHEDULE
CONDITIONS RELATING TO EQUIVALENCE BETWEEN
CERTAIN NON-AIR SUSPENSION SYSTEMS AND AIR
SUSPENSION FOR VEHICLE DRIVING AXLE(S)

1. DEFINITION OF AIR SUSPENSION

A suspension system is considered to be air suspended if at least 75% of the spring effect is caused by the air spring.

2. EQUIVALENCE TO AIR SUSPENSION

A suspension recognized as being equivalent to air suspension must conform to the following:

- 2.1. during free transient low frequency vertical oscillation of the sprung mass above a driving axle or bogie, the measured frequency and damping with the suspension

carrying its maximum load must fall within the limits defined in points 2.2 to 2.5;

- 2.2. each axle must be fitted with hydraulic dampers. On tandem axle bogies, the dampers must be positioned to minimize the oscillation of the bogies;
- 2.3. the mean damping ratio D must be more than 20% of critical damping for the suspension in its normal conditions with hydraulic dampers in place and operating;
- 2.4. the damping ratio D of the suspension with all hydraulic dampers removed or incapacitated must be not more than 50% of D ;
- 2.5. the frequency of the sprung mass above the driving axle or bogie in a free transient vertical oscillation must not be higher than 2,0 Hz;
- 2.6. the frequency and damping of the suspension are given in paragraph 3. The test procedures for measuring the frequency and damping are laid down in paragraph 4.

3. DEFINITION OF FREQUENCY AND DAMPING

In this definition a sprung mass M (kg) above a driving axle or bogie is considered. The axle or bogie has a total vertical stiffness between the road surface and the sprung mass of K Newtons/metre (N/m) and a total damping coefficient of C Newtons per metre per second (N.s/m). The vertical displacement of the sprung mass is Z . The equation of motion for free oscillation of the sprung mass is:

$$M \frac{d^2 Z}{dt^2} + C \frac{dZ}{dt} + kZ = 0$$

The frequency of oscillation of the sprung mass is:

$$F = \sqrt{\frac{K}{M} - \frac{C^2}{4M^2}}$$

The damping is critical when $C = C_0$ where:

$$C_0 = 2\sqrt{KM}$$

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The damping ratio as a fraction of critical damping is C/C_0 .

During free transient oscillation of the sprung mass the vertical motion of the mass will follow a damped sinusoidal path (Figure 2). The frequency can be estimated by measuring the time for as many cycles of oscillation as can be observed. The damping can be estimated by measuring the heights of successive peaks of the oscillation in the same direction. If the peak amplitudes of the first and second cycles of the oscillation are A_1 and A_2 , then the damping ratio D is:

$$D = \frac{C}{C_0} = \frac{1}{2\pi} \ln \frac{A_1}{A_2}$$

‘ln’ being the natural logarithm of the amplitude ratio.

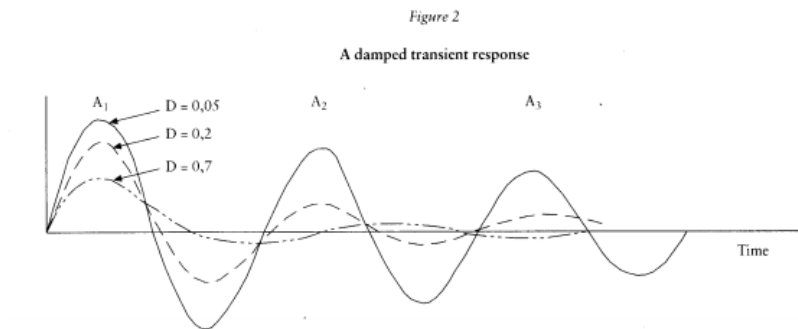
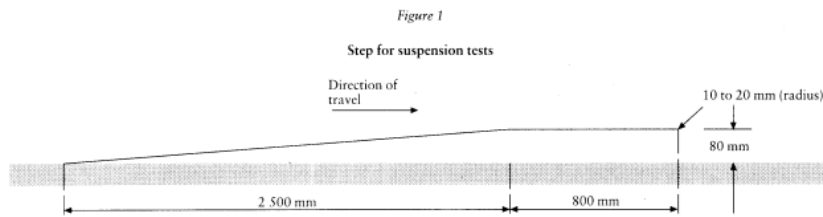
4. TEST PROCEDURE

To establish by test the damping ratio D , the damping ratio with hydraulic dampers removed, and the frequency F of the suspension, the loaded vehicle should either:

- (a) be driven at low speed ($5 \text{ km/hr} \pm 1 \text{ km/hr}$) over an 80 mm step with the profile shown in Figure 1. The transient oscillation to be analyzed for frequency and damping occurs after the wheels on the driving axle have left the step; or
- (b) be pulled down by its chassis so that the driving axle load is 1,5 times its maximum static value. The vehicle held down is suddenly released and the subsequent oscillation analysed; or
- (c) be pulled up by its chassis so that the sprung mass is lifted by 80 mm above the driving axle. The vehicle held up is suddenly dropped and the subsequent oscillation analysed; or
- (d) be subjected to other procedures insofar as it has been proved by the manufacturer, to the satisfaction of the technical department, that they are equivalent, and the frequency F of the suspension, the loaded vehicle should either:

The vehicle should be instrumented with a vertical displacement transducer between driving axle and chassis, directly above the driving axle. From the trace, the time

interval between the first and second compression peaks can be measured to obtain the frequency F and the amplitude ratio to obtain the damping. For twin-drive bogies, vertical displacement transducers should be fitted between each driving axle and the chassis directly above it.





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Taqsimha B

A.L. 423 tal-2016

**ORDINANZA DWAR IR-REGOLAMENT TAT-TRAFFIKU
(KAP. 65)**

**Regolamenti tal-2016 li jemendaw ir-Regolamenti dwar il-Ġarr
Stradali ta' Merkanzija**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 54 tal-Ordinanza dwar ir-Regolament tat-Traffiku, il-Ministru tal-Infrastruttura, Trasport u Kommunikazzjoni, wara konsultazzjoni mal-Awtorità dwar it-Trasport ta' Malta, għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti huwa ir-Regolamenti tal-2016 li jemendaw ir-Regolamenti dwar il-Ġarr Stradali ta' Merkanzija u għandhom jinqraw u jinftehmha waħda mar-Regolamenti dwar il-Ġarr Stradali ta' Merkanzija, hawn iżjed 'il quddiem imsejha "ir-regolamenti prinċipali". Titolu.
L.S. 65.19.

2. L-iskop ta' dawn ir-regolamenti hu sabiex tiġi trasposta d-Direttiva (UE) 2015/719 tal-Parlament Ewropew u tal-Kunsill tad-29 ta' April 2015 li temenda d-Direttiva tal-Kunsill 96/53/KE li tistabbilixxi għal ċerti vetturi tat-triq li jiċċirkolaw fi hdan il-Komunità d-dimensjonijiet massimi awtorizzati fit-traffiku nazzjonali u internazzjonali u l-piżijiet massimi awtorizzati fit-traffiku internazzjonali u fejn meħtieġ jiġu affetwati emendi għal atti prinċipali. Skop.

3. Ir-regolament 2 tar-regolamenti prinċipali għandu jiġi emendat kif ġej: Jemenda r-regolament 2 tar-regolamenti prinċipali.

(a) fit-test Ingliż, il-kelma "loical" fit-tifsira "authorized inspecting officer" għandha tiġi sostitwita bil-kelma "local";

(b) it-tifsira "burdnar" għandha tiġi sostitwita b'dan li ġej:

" "burdnar" tfisser entità ġuridika jew persuna fiżika jew ġuridika li hija msemija fuq polza ta' kargu jew fuq dokument ta' trasport ekwivalenti, pereżempju polza ta' kargu tat-tip 'through', bħala l-burdnar u, jew li f'isimha jew għan-nom tagħha jkun gie konkluz kuntratt ta' ġarr mal-kumpannija tat-trasport;"

(c) minnufih wara t-tifsira "id-Direttiva 2006/22/KE"

għandhom jiżdiedu t-tifsiriet godda li ġejjin:

" "Direttiva (UE) 2015/719" tfisser id-Direttiva (UE) 2015/719 tal-Parlament Ewropew u tal-Kunsill tad-29 ta' April 2015 li temenda d-Direttiva tal-Kunsill 96/53/KE li tistabbilixxi għal ċerti vetturi tat-triq li jiċċirkolaw fi ħdan il-Komunità d-dimensjonijiet massimi u l-piżijiet massimi awtorizzati fit-traffiku internazzjonali;

"Direttiva 92/106/EEC" tfisser id-Direttiva tal-Kunsill 92/106/EEC tas-7 ta' Diċembru 1991 fuq il-promulgazzjoni ta' regoli komuni li jirregolaw ċerta tipi ta' transport ta' oġġetti kombinati bejn Stati Membri;"

(d) minnufih wara t-tifsira "okkupazzjoni ta' burdnar" għandha tiżdied t-tifsira ġdida li ġejja:

" "operazzjoni tat-trasport intermodali" tfisser:

(a) l-operazzjonijiet tat-trasport kombinati imfissra fl-Artikolu 1 tad-Direttiva tal-Kunsill 92/106/KEE li jittrasportaw kontenitur jew kontenituri jew kaxxi skambjabbli, sa tul massimu totali ta' 45 pied, jew

(b) operazzjonijiet ta' trasport li jittrasportaw kontenitur jew kontenituri jew kaxxi skambjabbli, sa tul massimu totali ta' 45 pied, li jużaw it-trasport fuq l-ilma, sakemm it-tul inizjali jew finali tat-triq ma jaqbiżx 150km fit-territorju tal-Unjoni. Id-distanza ta' 150km imsemmija hawn fuq tista' tingabeż sabiex jintlaħaq l-eqreb terminal ta' trasport adatt għas-servizz previst fil-każ li:

(i) vetturi li jikkonformaw mal-punti 2.2.2 (a) jew (b) tal-Ewwel Skeda tar-Regolamenti dwar il-Piżijiet, Dimensjonijiet u Tagħmir tal-Vetturi bil-Mutur; jew

(ii) vetturi li jikkonformaw mal-punti 2.2.2 (c) jew (d) tal-Ewwel Skeda tar-Regolamenti dwar il-Piżijiet, Dimensjonijiet u Tagħmir tal-Vetturi bil-Mutur fil-każ li tali distanzi jkunu permessi fl-Istat Membru rilevanti.

Għall-operazzjonijiet tat-trasport intermodali, l-eqreb terminal ta' trasport adatt li

jipprovdi servizz jista' jkun jinsab fi Stat Membru ieħor għajr l-Istat Membru li fih il-konsenja giet mgħobbija jew maħtuta;"

(e) fit-test Inġliż, minnufih wara t-tifsira "semi-trailer" għandha tizzied it-tifsira ġdida li ġejja:

" "shipper" means a legal entity or a natural or legal person who is named on the bill of lading or on an equivalent transport document, such as "through" bill of lading, as the shipper and/or in whose name or on whose behalf a contract of carriage has been concluded with the transport company;"

4. Is-subregolament (4) tar-regolament 35 tar-regolamenti prinċipali għandu jiġi enumerat bħala s-subregolament (5) u minnufih wara s-subregolament (3) għandu jidhol is-subregolament ġdid li ġej:

Jemenda r-regolament 35 tar-regolamenti prinċipali.

"(4) Għat-trasport ta' kontejners u kaxxi skambjabbli:

(a) il-burdnar jagħti lit-trasportatur bit-triq fdat bit-trasport ta' kontejner jew kaxxa skambjabbli dikjarazzjoni li tindika l-piż tal-kontejner jew kaxxa skambjabbli li tkun giet trasportata; u

(b) it-trasportatur bit-triq jipprovdi aċċess għad-dokumentazzjoni rilevanti kollha provduta mill-burdnar."

5. Fis-subregolament (1) tar-regolament 84 tar-regolamenti prinċipali minnufih wara l-kliem "u skond id-Direttiva 2006/22/KE" għandhom jidhlu l-kliem "u d-Direttiva (UE) 2015/719" u l-kliem "għall-finijiet ta' dik id-Direttiva" għandhom jiġu sostitwiti bil-kliem "għall-finijiet ta' dawn id-Direttivi."

Jemenda r-regolament 84 tar-regolamenti prinċipali.

6. Is-subregolament (6) tar-regolament 88 tar-regolamenti prinċipali għandu jiġi enumerat mill-ġdid bħala s-subregolament (7) u minnufih wara s-subregolament (5) għandu jizzied is-subregolament li ġej:

Jemenda r-regolament 88 tar-regolamenti prinċipali.

"(6) Kull persuna li tikser id-dispożizzjoni tar-regolament 35(4) tkun haġja ta' reat u tista', meta tinstab haġja, tehel ammenda ta' tmienja u hamsin euro u tlieta u għoxrin ċenteżmu (58.23)."

7. Is-Sitt Skeda tar-regolamenti prinċipali għandha tiġi emendata kif ġej:

Jemenda s-Sitt Skeda tar-regolamenti prinċipali

(a) fil-punt numru 2 tal-paragrafu 6 taħt l-intestatura

"Rekwiziti Tekniċi u ta' Sigurtà Minimi", minnufih wara l-kliem "Att dwar is-Sigurezza tal-Prodotti (Kap. 427)" għandu jizdied dan li ġej:

"u r-regolamenti rilevanti maħruġa skont l-Ordinanza dwar ir-Regolamenti tat-Traffiku (Kap. 65)";

(b) fil-punt numru 2 tal-paragrafu 10 taht l-intestatura "Rekwiziti Tekniċi u ta' Sigurtà Minimi" għandu jiġi enumerat bhala l-paragrafu 12 u minnufih wara l-paragrafu 9 għandu jizdied dan li ġej:

"10. Vetturi reġistrati f'Malta għandu jkun installat fuqhom tagħmir li jirregola l-piż kif speċifikat fir-Regolamenti dwar Piżijiet, Dimensjonijiet u Tagħmir tal-Vetturi bil-Mutur, (L.S.65.21).

(11) It-tagħmir ajrudinamiku speċifikat fir-Regolamenti Dwar Piżijiet, Dimensjonijiet u Tagħmir tal-Vetturi bil-Mutur, (L.S.65.21), għandu jissodisfa l-kundizzjonijiet operazzjonali li ġejjin:

a. f'ċirkostanzi fejn is-sikurezza ta' utenti oħra tat-triq jew tas-sewwieq tinsab f'riskju, għandu jintewa, jingibed lura jew jinqala' mis-sewwieq;

b. l-użu tiegħu fl-infrastrutturi tat-toroq urbani u interurbani għandu jqis il-karatteristiċi speċjali ta' żoni fejn il-limitu ta' velocità jkun inqas jew ta' 50km/siegħa u fejn hemm possibiltà akbar li jkun preżenti utenti tat-triq aktar vulnerabbli; u

ċ. l-użu tiegħu għandu jkun kumpattibbli mal-operazzjonijiet tat-trasport intermodali u b'mod partikolari, fejn migbud lura/mitwi, ma għandux jizdied it-tul massimu awtorizzat b'aktar minn 20ċm."

L.N. 423 of 2016

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

**Motor Vehicles (Carriage of Goods by Road) (Amendment)
Regulations, 2016**

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

1. The title of these regulations is the Motor Vehicles (Carriage of Goods by Road) (Amendment) Regulations, 2016 and they shall be read and construed as one with the Motor Vehicles (Carriage of Goods by Road) Regulations, hereinafter referred to as "the principal regulations". Citation.
S.L. 65.19

2. The scope of these regulations is to transpose Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic. Scope.

3. Regulation 2 of the principal regulations shall be amended as follows: Amends
regulation 2 of
the principal
regulations.
 - (a) the word "loical" in the definition of "authorized inspecting officer" shall be substituted by the word "local";

 - (b) in the Maltese text thereof, the definition "burdnar" shall be substituted by the following:

" "burdnar" għandha tfisser entità ġuridika jew persuna fiżika jew ġuridika li hija msemmiya fuq polza ta' kargu jew fuq dokument ta' trasport ekwivalenti, pereżempju polza ta' kargu tat-tip 'through', bħala l-burdnar u, jew li f'isimha jew għan-nom tagħha jkun għe konkluz kuntratt ta' garr mal-kumpannija tat-trasport;"

 - (c) immediately after the definition "Directive 2006/22/EC" there shall be added the following new definitions:

" "Directive 92/106/EEC" means Council Directive

92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States;

"Directive (EU) 2015/719" means Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic;;

(d) immediately after the definition "holder" there shall be added the following new definition:

" "intermodal transport operation" means:

(a) the combined transport operations defined in Article 1 of Council Directive 92/106/EEC engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet; or

(b) transport operations engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet, using waterborne transport, provided that the length of the initial or the final road leg does not exceed 150km in the territory of the Union. The distance of 150km referred to above may be exceeded in order to reach the nearest suitable transport terminal for the envisaged service in the case of:

(i) vehicles complying with point 2.2.2(a) or (b) of the First Schedule of Motor Vehicles (Weights, Dimensions and Equipment) Regulations; or

(ii) vehicles complying with point 2.2.2(c) or (d) of the First Schedule of Motor Vehicles (Weights, Dimensions and Equipment) Regulations, in cases where such distances are permitted in the relevant Member State.

For intermodal transport operations, the nearest suitable transport terminal providing a service may be located in a Member State other

than the Member State in which the shipment was loaded or unloaded;";

(e) immediately after the definition "semi-trailer" there shall be added the following new definition:

" "shipper" means a legal entity or a natural or legal person who is named on the bill of lading or on an equivalent transport document, such as "through" bill of lading, as the shipper and/or in whose name or on whose behalf a contract of carriage has been concluded with the transport company;"

4. Sub-regulation (4) of regulation 35 of the principal regulations shall be renumbered as sub-regulation (5) and immediately after sub-regulation (3) there shall be added the following new sub-regulation:

Amends regulation 35 of the principal regulations.

"(4) For the transport of containers and swap bodies:

(a) the shipper is to give to the hauler to whom it entrusts the transport of a container or swap body a statement indicating the weight of the container or swap body transported; and

(b) the hauler is to provide access to all relevant documentation provided by the shipper."

5. In sub-regulation (1) of regulation 84 of the principal regulation immediately after the words "in accordance with directive 2006/22/EC" there shall be added the words "and Directive (EU) 2015/719 and the words "for the purposes of the said directive" shall be substituted by "for the purposes of the said Directives."

Amends regulation 84 of the principal regulations.

6. Sub-regulation (6) of regulation 88 of the principal regulation shall be renumbered as sub-regulation (7) and immediately after sub-regulation (5) there shall be added the following new sub-regulation:

Amends regulation 88 of the principal regulations.

"(6) Any person who contravenes the provisions of regulation 35(4) shall be guilty of an offence and shall, on conviction, be liable to a fine (*ammenda*) of fifty eight euro and twenty-three cents (58.23)."

7. The Sixth Schedule of the principal regulation shall be amended as follows:

Amends the Sixth Schedule of the principal regulation.

(a) in point number 2 of paragraph 6 under the title

"Minimum technical and safety requirements" immediately after the words "the Product Safety Act (Cap 427)" there shall be added the following:

"and any other relevant regulations issued under the Traffic Regulation Ordinance (Cap 65)";

(b) point number 2 of paragraph 10 under the title "Minimum technical and safety requirements" shall be renumbered as paragraph 12 and immediately after paragraph 9 there shall be added the following:

"10. Vehicles that are registered in Malta must have an on-board weighing equipment in accordance with Motor Vehicles (Weights, Dimensions and Equipment) Regulations, S.L. 65.21.

11. The aerodynamic devices referred to in the Motor Vehicles (Weights, Dimensions and Equipment) S.L. 65.21 shall fulfil the following operational conditions:

a. in circumstances where the safety of other road users or of the driver is at risk, they shall be folded, retracted or removed by the driver;

b. their use on urban and inter urban road infrastructures shall take into account the special characteristics of areas where the speed limit is less than or equal to 50 km/h and where vulnerable road users are more likely to be present; and

c. their use shall be compatible with intermodal transport operations and, in particular, when retracted/folded, they shall not exceed the maximum authorized length by more than 20 cm."

