SUBSIDIARY LEGISLATION 65.21

MOTOR VEHICLES (WEIGHTS, DIMENSIONS AND EQUIPMENT) REGULATIONS

11th July, 2003;
1st May, 2004

LEGAL NOTICE 162 of 2003, as amended by Legal Notices 348 of 2005, 345 and 408 of 2007, 215 and 261 of 2011, 426 of 2012, 422 of 2016 and 397 of 2021.

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PART I

PRELIMINARY

Title.

1. The title of these regulations is the Motor Vehicles (Weights, Dimensions and Equipment) Regulations.

Definitions.
Amended by:
L.N. 348 of 2005;
L.N. 345 of 2007;
L.N. 215 of 2011;
L.N. 261 of 2011;
L.N. 422 of 2016;
L.N. 397 of 2021.

2. In these regulations, unless the context otherwise requires:

"advanced recording equipment" means recording apparatus equipped with card readers for insertion of driver memory cards, an integrated or separate printer, display instruments and facilities for downloading the data memory in accordance with the requirements to be established by the Authority;

"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*) Liquified Petroluem 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;

"articulated vehicle" means the combination of a mechanically propelled vehicle (other than a bicycle) and a drawn vehicle attached by partial superimposition and so constructed and attached that not less than 20 per cent of the weight of the drawn vehicle is borne by the mechanically propelled vehicle;

"articulated bus" means a bus consisting of two rigid sections connected to each other by an articulated section. On this type of vehicle the passenger compartments in each of the two rigid sections shall be intercommunicating. The articulated section shall permit the free movement of travellers between the rigid sections. Connection and disconnection of the two sections shall be possible only in a workshop;

"Authority" means the Authority for Transport in Malta as established by article 5 of the Authority for Transport in Malta Act; Cap. 499.

"bus" means a vehicle with more than nine seats including the driver's seat, which is constructed and equipped to carry passengers and their luggage, which may have one or two decks and which may also draw a luggage trailer;

"company data card" means a removable data transfer and storage device issued by the Authority to the owner of vehicles fitted with recording equipment. The company data card allows for

displaying, downloading and printing of the data stored in the recording equipment fitted in the company's vehicle or vehicles;

"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;

"control card" means a removal data transfer and storage device for use in the card reader of the recording equipment, issued by the Authority to its enforcement section to get access to the data stored in the data memory or in the driver cards for reading, printing and, or downloading;

"the Council Regulation on recording equipment" means Council Regulation (EEC) No. 3821/85 of 20th December 1985 on recording equipment in road transport, as amended;

"data memory" means an electronic storage system built into the recording equipment, capable of storing at least 365 calendar days from the recording equipment. The memory should be protected in such a way as to prevent unauthorised access to and manipulation of the data and detect any such attempt;

"Decision (EU) 2019/984" means Decision (EU) 2019/984 of the European Parliament and of the Council of 5 June 2019 amending Council Directive 96/53/EC as regards the time limit for the implementation of the special rules regarding maximum length for cabs delivering improved aerodynamic performance, energy efficiency and safety performance;

"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;

"downloading" means copy of a part or of a complete set of data stored in the data memory of the vehicle or in the memory of the driver card. Dowloading may not alter or delete any stored data. Downloaded data are protected in such a way as to make attempts to data manipulation detectable; origin of downloaded data must be authenticable. Downloaded data are kept in a format that can be used by any authorised person;

"driver card (with memory)" means a removable information transfer and storage device allocated by the authorities of the Agreement States to each individual driver for the purposes of identification of the driver and storage of essential data. The format and technical specifications of the driver card (with memory) shall meet the requirements laid down in Chapter IV of Annex I(B) to Council Regulation (EEC) No. 3821/85 on recording equipment in

road transport, as amended;

"the European Union" has the same meaning as is given to it in the European Union Act and includes Norway, Iceland and Liechtenstein;

Cap. 460.

"g.v.w." means gross vehicle weight;

"gross vehicle weight" means the road weight specified by the manufacturer as being the maximum design weight capacity for the vehicle, such weight being the combined weight of the vehicle, the maximum specified load, the driver and a tank full of fuel;

"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;

"main grooves" means the broad grooves in the central part of the tread surface, which covers about three-quarters of the width of the tread surface;

''maximum authorised dimensions'' means the maximum dimensions for use of a vehicle, as laid down in the First Schedule;

"maximum authorised weight" means the maximum weight for use of a laden vehicle, as laid down in the First and Second Schedules;

"maximum authorised axle weight" means the maximum weight of a laden axle or group of axles; as laid down in the First and Second Schedules;

"Member State" means a Member State of the European Union;

"Minister" means the Minister responsible for transport in Malta;

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

"normal residence" means the place where a person habitually lives, for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living:

Provided that, the normal residence of a person whose occupational ties are in a different place from his personal ties and who consequently lives in turn in different places situated in two or more Member States shall be regarded as being the place of his personal ties, provided that such person returns there regularly. This last condition need not be met where the person is living in an Member State in order to carry out a task of a definite duration. Attendance at a university or school shall not imply taking up of normal residence;

"public highway" means national arterial, distributor, access and local access roads as defined in the Motor Vehicles (Driving Licences) Regulations; S.L. 65.18

''recording equipment'' or ''tachograph'' means the total equipment intended for installation in road vehicles to show, record and store automatically or semi-automatically details of the movement of such vehicles and of certain work periods of their drivers. This equipment includes cables, sensors, an electronic driver information device, one (two) card reader(s) for the insertion of one or two driver memory card(s), an integrated or separate printer, display instruments, facilities for downloading the data memory, facilities to display or print information on demand and facilities for the input of the places where the daily work period begins and ends;

"Regulation (EU) 2019/1242" means Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO_2 emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC;

''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;

"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;

"speed limitation device" means a device whose primary function is to control the fuel feed to the engine in order to limit the vehicle

speed to the specified value;

"test station card" means a removable data transfer and storage device for use in the card reader of the recording equipment issued by the Authority to authorised bodies. The test station card identifies the body and allows for testing, calibration and programming of the recording equipment;

"tonne" means the weight executed by the mass of a tonne and shall correspond to 9,8 kilonewtons (kN);

''tachograph card'' means a smart card intended for use with recording equipment. It allows for identification by the recording equipment of the identity (or identity group) of the card holder and allows for data transfer and storage;

''tractor'' means any mechanically self-propelled vehicle circulating on the road, other than a vehicle running on rails, and specially designed to pull, push or move trailers, semi-trailers, implements or machines;

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

''undertaking'' means any natural person, any legal person, whether profit-making or not, any association or group of persons without legal personality, whether profit-making or not, or any official body, whether having its own legal personality or being dependent upon an authority having such personality;

"vehicle combination" means:

- either a road train consisting of a motor vehicle coupled to a trailer; or
- an articulated vehicle consisting of a motor vehicle coupled to a semi-trailer;

"workshop or fitter card" means a tachograph card issued by the Authority to a recording equipment manufacturer, a fitter, a vehicle manufacturer or workshop, approved by the Authority;

"zero-emission vehicle" means a zero-emission heavy-duty vehicle as defined in point (11) of Article 3 of Regulation (EU) 2019/1242 of the European Parliament and of the Council.

Classification of passenger vehicles. *Substituted by: L.N. 348 of 2005.*

3. Passenger vehicles shall be classified in the following categories:

CATEGORY M

Motor vehicles with at least four wheels used for the carriage of passengers

- M1 - Vehicles used for the carriage of passengers and comprising no more than eight seats in addition to the driver’s seat;
- M2 - Vehicles used for the carriage of passengers, comprising more than eight seats in addition to the driver’s seat, and having a maximum mass not exceeding 5 tonnes;

- M3 - Vehicles used for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes.

Classification of goods vehicles. *Substituted by: L.N. 348 of 2005.*

4. Goods vehicles shall be classified in the following categories:

CATEGORY N

Motor vehicles with at least four wheels used for the carriage of goods

- N1 - Vehicles used for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes;
- N2 - Vehicles used for the carriage of goods and having a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes;
- N3 - Vehicles used for the carriage of goods and having a maximum mass exceeding 12 tonnes.

In the case of a towing vehicle designed to be coupled to a semi-trailer or centre-axle trailer, the mass to be considered for classifying the vehicle is the mass of the tractor vehicle in running order, increased by the mass corresponding to the maximum static vertical load transferred to the tractor vehicle by the semi-trailer or centre-axle trailer and, where applicable, by the maximum mass of the tractor vehicle's own load.

Classification of trailers. *Substituted by: L.N. 348 of 2005.*

5. Trailers shall be classified as follows:

CATEGORY O

Trailers (including semi-trailers)

- O1 - Trailers with a maximum mass not exceeding 0.75 tonnes;
- O2 - Trailers with a maximum mass exceeding 0.75 tonnes but not exceeding 3.5 tonnes;
- O3 - Trailers with a maximum mass exceeding 3.5 tonnes but not exceeding 10 tonnes;
- O4 - Trailers with a maximum mass exceeding 10 tonnes.

In the case of a semi-trailer or centre-axle trailer, the maximum mass to be considered for classifying the trailer corresponds to the static vertical load transmitted to the ground by the axle or axles of the semi-trailer or centre-axle trailer when coupled to the towing vehicle and carrying its maximum load.

Conflict. S.L. 65.11

6. If anything contained in these regulations is inconsistent or in conflict with the Motor Vehicles Regulations, the present regulations shall prevail, and to the extent of these inconsistencies or conflicts the Motor Vehicles Regulations shall be deemed null and void.

Repeal.

7. (*Omitted under the Statute Law Revision Act*).

PART II

MAXIMUM AUTHORISED DIMENSIONS IN NATIONAL AND INTERNATIONAL TRAFFIC AND THE MAXIMUM AUTHORISED WEIGHTS IN INTERNATIONAL TRAFFIC

Goods vehicles and trailers. *Amended by: L.N. 348 of 2005; L.N. 422 of 2016.*

8. Goods vehicles in categories N2 and N3 and their trailers in categories O3 and O4 registered in Malta shall comply with limit values in the First Schedule and with any other restrictions on maximum authorized dimensions and, or weights of vehicles in specified areas or on specified roads.

Conformity with First Schedule requirements. *Amended by: L.N. 422 of 2016; L.N. 397 of 2021.*

9. (1) No vehicle or vehicle combination shall be allowed to circulate in Malta for the national transport of goods in Malta if it is not in conformity with the characteristics set out in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of the First Schedule.

(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 or zero-emission vehicles shall be those set out in points 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.3.1, 2.3.2 and 2.4 of the First Schedule.

(4) Alternatively fuelled or zero-emission vehicles shall also comply with the maximum authorised 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.

Exceptions.

10. The Commissioner of Police in consultation with the Authority may, in special cases to be decided on a case-by-case basis, grant permission for the circulation in Malta of vehicles or vehicle combinations for the national transport of goods which are not in conformity with the characteristics set out in 1.3, 2, 3, 4.1 and 4.3 of the First Schedule.

International transport of vehicles and trailers. *Amended by: L.N. 348 of 2005; L.N. 422 of 2016.*

11. Passenger transport vehicles (categories M2 and M3 and their trailers in categories O3 and O4) registered in another State and circulating temporarily in Malta as part of an international journey or on cabotage operations shall comply with the limit values established in the First Schedule and with any other restrictions on maximum authorized dimensions and, or weights of vehicles in specified areas or on specified roads.

Conformity with specifications. *Amended by: L.N. 348 of 2005.*

12. Vehicles registered in Malta which are used exclusively in Malta for hire or reward, shall comply with specifications established from time to time by the Authority.

Vehicles or vehicle combinations equipped with aerodynamic devices. *Added by: L.N. 422 of 2016. Amended by: L.N. 397 of 2021.*

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) This regulation shall be deemed to have come into force on 15 April 2020.

Vehicles or vehicle combinations may exceed the maximum lengths. *Added by: L.N. 422 of 2016. Amended by: L.N. 397 of 2021.*

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) This regulation shall be deemed to have come into force on 1 September 2020.

Temporary exceptions.

13. The Commissioner of Police in consultation with the Authority may allow vehicles or vehicle combinations incorporating new technologies or new concepts which cannot comply with one or more requirements of these regulations to carry out certain local transport operations for a trial period.

Proof of compliance. *Amended by: L.N. 348 of 2005; L.N. 422 of 2016; L.N. 397 of 2021.*

14. (1) 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 shall carry one of the following proofs:

(*a*) a combination of the following two plates:

(i) the "manufacturer's plate" established and attached in accordance with the Motor Vehicles (EC Type Approval) Regulations, S.L. 427.31

(ii) the plate relating to dimensions, in accordance with the Second Schedule, established and attached in accordance with those same regulations; or

(*b*) a single plate established and attached in accordance with Motor Vehicles (EC Type Approval) Regulations and containing the information on the two plates referred to in paragraph (*a*); or S.L. 427.31

(*c*) a single document issued by the competent authority of the Member State in which the vehicle is registered or put into circulation. Such document shall bear the same headings and information as the plates referred

to in paragraph (*a*). It shall be kept in a place easily accessible to inspection and shall be adequately protected.

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

(3) If the characteristics of a vehicle registered in Malta no longer correspond to those indicated on the proof of compliance stipulated in sub-regulation (1), the Authority shall take the necessary steps to ensure that the proof of compliance is altered.

(4) The plates and documents referred to in sub-regulation (1) shall be recognised by the Authority as the proof of vehicle compliance provided for in these 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.

Prohibitive road signs to prevail.

15. The dimension and weight limits established in this Part of these regulations applicable to vehicles for circulation on the public highway shall apply without prejudice to any prohibitive road signs placed in order to safeguard certain road infrastructures, that are not suitable for long and heavy vehicles, from damage in accordance with Traffic Signs and Markings Regulations.

S.L. 65.05

PART III

INSTALLATION AND USE OF SPEED LIMITATION DEVICES

Applicability. *Substituted by: L.N. 348 of 2005.*

16. (1) The scope of this Part is the implementation of Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community as amended by Directive 2002/85/EC of the European Parliament and of the Council.

(2) This Part applies to N3, N2, M3 and M2 category vehicles that are intended for use on the road, having at least four wheels

and a maximum design speed exceeding 25 kph.

Exceptions. *Amended by: L.N. 348 of 2005.*

17. The requirements of this Part shall not apply to the following:

(*a*) motor vehicles used by armed forces, civil defence, fire and other emergency services and forces responsible for maintaining public order;

(*b*) goods vehicles whose maximum design speed is lower than 90 kph and passenger vehicles whose maximum design speed is lower than 100 kph;

(*c*) motor vehicles used for scientific tests on roads; and

(*d*) motor vehicles used only for public services in urban areas.

Goods vehicles. *Substituted by: L.N. 348 of 2005.*

18. The following goods vehicles shall be equipped with a fully operational speed limitation device:

(*a*) N3 category vehicles first registered in Malta or registered in a Member State on or after 1st January, 1988;

(*b*) N2 category vehicles first registered in Malta on or after the 1st January, 2005 to operate both nationally and internationally or registered in a Member State and circulating on the public highway;

(*c*) N2 category vehicles having a maximum mass of more than 7.5 tonnes registered in Malta on or after the 1st January, 2005 to operate only in Malta;

(*d*) N2 category vehicles having a maximum mass of more than 3.5 tonnes but not exceeding 7.5 tonnes to be first registered in Malta on or after the 1st January, 2008 to operate only in Malta.

Diesel engined goods vehicles. *Substituted by: L.N. 348 of 2005.*

19. N2 category vehicles with a diesel engine first registered in Malta between 1st October, 2001 and the 31st December, 2004 shall be equipped with a fully operational speed limitation device by the -

(*a*) 1st January, 2006 if they are registered to be used for both national and international transport, and

(*b*) 1st January, 2007 if they are registered to be used only for national transport.

Maximum speed limitation for goods vehicles. *Amended by: L.N. 348 of 2005.*

20. The maximum speed limitation for such goods vehicles shall be set at 90 kph on the speed limitation device.

Maximum speed limitation for nationally operating N3 dangerous goods vehicles. *Amended by: L.N. 348 of 2005.*

21. The maximum speed limitation for vehicles registered and used exclusively in Malta for the carriage of dangerous goods shall be set at 90 kph on the speed limitation device.

Passenger vehicles. *Substituted by: L.N. 348 of 2005.*

22. The following passenger vehicles shall be required to be equipped with a fully operational speed limitation device:

(*a*) M3 category vehicles with a maximum mass of more than 10 tonnes first registered in Malta or registered in a Member State on or after the 1st January, 1988;

(*b*) M3 category vehicles that are first registered in Malta or registered in a Member State on or after the 1st January, 2005;

(*c*) M2 category vehicles that are first registered in Malta on or after the 1st January, 2005 to operate both nationally and internationally or registered in a Member State and circulating on the public highway;

(*d*) M2 category vehicles to be first registered in Malta on or after 1st January 2008 to operate only in Malta.

Diesel engined passenger vehicles. *Substituted by: L.N. 348 of 2005.*

23. M3 category vehicles with a maximum mass of more than 5 tonnes but not exceeding 10 tons and having a diesel engine and M2 category vehicles having a diesel engine first registered on or after the 1st October, 2001 shall be fitted with a speed limitation device by the -

(*a*) 1st January, 2006 if they are registered to be used for both national and international transport, and

(*b*) 1st January, 2007 if they are registered to be used only for national transport.

Maximum speed limitation for M3 passenger transport vehicles.

24. The maximum speed limitation for such passenger transport vehicles shall be set at 100 kph on the speed limitation device.

Technical requirements. *Substituted by: L.N. 348 of 2005.* S.L. 427.23

25. Speed limitation devices shall satisfy the technical requirements laid down in the Motor Vehicles (EC Type Approval) Regulations. However, all vehicles covered by this Part of the regulations and registered before the 1st January, 2005 may continue to be equipped with speed limitation devices which satisfy the technical requirements laid down by the competent authorities in Member States.

Installation of devices.

26. Speed limitation devices shall be installed by workshops or bodies approved by the Authority or by the competent authority of an Agreement State.

PART IV

INSTALLATION AND USE OF RECORDING EQUIPMENT (TACHOGRAPHS)

Applicability. *Amended by: L.N. 348 of 2005; L.N. 345 of 2007.*

27. This Part shall apply to motor vehicles that are in categories M2, M3, N2 and N3 and are registered:

(*a*) in a Member State and are circulating on the public highway in Malta; or

(*b*) in Malta for international operation.

Exemptions.
Amended by:
L.N. 348 of 2005.

28. Motor vehicles performing services listed in the Third Schedule shall be exempt from the application of regulation 30.

Installation and use of recording equipment.
Amended by:
L.N. 348 of 2005.
Substituted by:
L.N. 345 of 2007.

29. (1) All motor vehicles referred to in regulation 27 put into service for the first time before 1st May 2006 shall be fitted with recording equipment installed in accordance with the Council Regulation on recording equipment and which comply with either Annex I or Annex IB and with Annex II to the said Regulation.

(2) All motor vehicles referred to in regulation 27 put into service for the first time on the 1st May 2006 or after that date shall be fitted with recording equipment installed in accordance with the Council Regulation on recording equipment and which comply with Annex IB and Annex II to that Regulation.

Use of vehicles.
Amended by:
L.N. 348 of 2005.
Substituted by:
L.N. 345 of 2007.

30. No person shall use, or cause or permit to be used, a vehicle referred to in regulation 27 unless that vehicle is fitted with recording equipment in accordance with the preceding regulation.

Issuing of memory cards.
Substituted by:
L.N. 345 of 2007.

31. The Authority shall be responsible for the issue of:

(*a*) a driver card to a driver who has his normal residence in Malta,

(*b*) a company data card to an undertaking which owns vehicles fitted with recording equipment,

(*c*) a test station card to fitters or workshops authorised to install and repair recording equipment, and

(*d*) a control card to an authorised inspecting officer.

Cards issued to fitters or workshops.
Substituted by:
L.N. 345 of 2007.

32. (1) Test station cards issued to approved workshops or fitters shall only be valid for a period not exceeding one year.

(2) Where a card issued to an approved workshop or fitter is to be extended, is damaged, malfunctions, is lost or is stolen, the Authority shall issue a replacement card within five working days of receiving a detailed request to that effect.

Approval of fitters and workshops.

33. (1) Recording equipment may only be installed on vehicles, repaired or removed therefrom by fitters or workshops approved for that purpose by the Authority.

(2) The Authority shall, after consultation with the Minister, lay down procedures and conditions to be adopted by approved fitters and workshops.

(3) The Authority may withdraw approval from any fitter or workshop for failure to comply with these procedures and conditions.

(4) An authorised inspecting officer may enter the premises of an approved fitter or workshop for the installation, repair and inspection of recording equipment and inspect any document, record book or equipment being kept at the premises.

Resale, etc., of recording equipment.

34. The Authority shall take any measures necessary to ensure that the resale or decommissioning of recording equipment cannot detract, in particular, from the satisfactory application of these

regulations.

Duties of undertaking, owner and lessee.
Amended by: L.N. 348 of 2005; L.N. 345 of 2007.

35. The undertaking or the owner or lessee of the vehicle shall:

(*a*) ensure that recording equipment is installed, used and fully functional at all times in vehicles referred to in regulation 27 in the manner laid down in guidelines to be provided by the Authority;

(*b*) issue a sufficient number of record sheets to drivers of vehicles fitted with recording equipment, taking into consideration:

(i) the fact that such sheets are personal in character,

(ii) the length of the period of service, and

(iii) the possible obligation to replace sheets which are damaged, or have been retained by an authorised inspecting officer;

(*c*) only issue to drivers, sheets of an approved model suitable for use in the equipment installed in the vehicle;

(*d*) keep the record sheets and print-outs, whenever printouts have been made, in chronological order and in a legible form for a period of one year after their use and shall give copies to the drivers concerned requesting them. The undertaking shall also give copies of downloaded data from the driver cards to the drivers concerned requesting them and the printed papers of these copies. The record sheets, print-outs and downloaded data shall be produced or handed over at the request of any authorised inspecting officer;

(*e*) arrange for periodic checks or inspections to take place as described in the Fourth Schedule and in accordance with the Motor Vehicles (Carriage of Goods by Road) Regulations and the Motor Vehicles (Carriage of Passengers by Road) Regulations.

S.L. 65.19
S.L. 65.20

Duties of drivers.
Amended by: L.N. 345 of 2007.

36. A driver of a vehicle subject to this Part shall:

(*a*) ensure that recording equipment is installed and fully functional at all times in vehicles referred to in regulation 27 in the manner laid down in guidelines to be provided by the Authority;

(*b*) use the recording equipment in a manner as to fully comply with the provisions of the Motor Vehicles (Carriage of Goods by Road) Regulations and the Motor Vehicles (Carriage of Passengers by Road) Regulations with respect to driving times, rest periods and breaks from driving;

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(*c*) use the record sheets or driver cards every day on which they are driving, starting from the moment they take over the vehicle;

(*d*) refrain from using dirty or damaged record sheets or driver cards. The sheets or cards shall be adequately

protected for this purpose;

(*e*) attach the damaged sheet to the spare sheet used to replace it where any sheet bearing recordings becomes damaged;

(*f*) amend the record sheets or driver cards as necessary should there be more than one driver on board the vehicle, so that the relevant information is recorded on the record sheet of the driver who is actually driving;

(*g*) return any record sheet which applies to him to his employer for inspection and retention as soon as practicable but not later than 21 days after its completion;

(*h*) ensure that the time recorded on the sheet agrees with the official time in the country of registration of the vehicle;

(*i*) operate the switch mechanisms enabling the following periods of time to be recorded separately and distinctly:

i. under the sign:  driving time;

ii. under the sign:  any activity other than driving, namely:

(i) loading and unloading;

(ii) assisting passengers boarding and disembarking from the vehicle;

(iii) cleaning and technical maintenance;

(iv) all other work intended to ensure the safety of the vehicle, its cargo and passengers or to fulfil the legal or regulatory obligations directly linked to the specific transport operation under way, including monitoring of loading and unloading, administrative formalities with police, customs, immigration officers, etc.;

(v) other work for the same or another employer, within or outside the transport sector;

iii. under the sign:  availability, namely:

- periods other than those relating to break times and rest times during which the driver is not required to remain at his workstation, but must be available to answer any calls to start or resume driving or to carry out other work. In particular such periods of availability shall include periods during which the driver is accompanying a vehicle being transported by ferryboat or by train as well as periods of waiting at frontiers and those due to traffic prohibitions. These periods and their foreseeable duration shall be known in advance by the driver, that is to say either before departure or just before the actual start of the period in question, or under the general conditions negotiated between the social partners and, or under the terms of existing legislation;

iv. under the sign:  breaks in work and daily rest periods;

(*j*) not withdraw the record sheet or driver card before the end of the daily working period unless its withdrawal is otherwise authorised; and

(*k*) use a record sheet to cover a period longer than that for which it is intended.

Manual recordings. *Substituted by: L.N. 345 of 2007.*

37. (1) When, as a result of being away from the vehicle, a driver is unable to use the equipment fitted to the vehicle, the periods of time referred to in regulation 36(*i*), sub-paragraphs (ii), (iii) and (iv), shall:

(*a*) if the vehicle is fitted with recording equipment in conformity with Annex I to the Council Regulation on recording equipment, be entered on the record sheet, either manually, by automatic recording or other means, legibly and without dirtying the sheet; or

(*b*) if the vehicle is fitted with recording equipment in conformity with Annex IB to the Council Regulation on recording equipment, be entered onto the driver card using the manual entry facility provided in the recording equipment.

(2) Where there is more than one driver on board the vehicle fitted with recording equipment in conformity with Annex IB to the Council Regulation on recording equipment, each driver shall ensure that his driver card is inserted into the correct slot in the tachograph.

Record of periods.

38. The Authority may permit all the periods referred to in regulation 36(*i*)(ii) and (iii) to be recorded under the sign



on the record sheets used on vehicles registered in its territory.

Duties of crew members.

39. Each crew member shall enter the following information on his record sheet:

(*a*) on beginning to use the sheet - his surname and first name;

(*b*) the date and place where use of the sheet begins and the date and place where such use ends;

(*c*) the registration number of each vehicle to which he is assigned, both at the start of the first journey recorded on the sheet and then, in the event of a change of vehicle, during use of the sheet;

(*d*) the odometer reading:

(i) at the start of the first journey recorded on the sheet,

(ii) at the end of the last journey recorded on the sheet,

(iii) in the event of a change of vehicle during a working day (reading on the vehicle to which he was assigned and reading on the vehicle to which he is to be assigned);

(*e*) the time of any change of vehicle.

Inspection of equipment, record sheets, driver cards and print-outs. *Amended by: L.N. 345 of 2007.*

40. (1) The recording equipment shall be so designed that it is possible for an authorised inspecting officer, if necessary after opening the equipment, to read the recordings relating to the nine hours preceding the time of the check without permanently deforming, damaging or soiling the sheet. The equipment shall, furthermore, be so designed that it is possible, without opening the case, to verify that recordings are being made.

(2) (*a*) Where the driver drives a vehicle fitted with recording equipment in conformity with Annex I to the Council Regulation on recording equipment, the driver must be able to produce, whenever an inspecting officer so requests:

(i) the record sheets for the current week and those used by the driver in the previous fifteen days;

(ii) the driver card if he holds one; and

(iii) any manual record and print-out made during the current week and the previous fifteen days as required under these regulations.

However, after 1st January 2008, the time periods referred to under sub-paragraphs (i) and (ii) shall cover the current day and the previous twenty-eight days.

(*b*) Where the driver drives a vehicle fitted with recording equipment in conformity with Annex IB to the Council Regulation on recording equipment, the driver must be able to produce, whenever an inspecting officer so requests:

(i) the driver card of which he is the holder;

(ii) any manual record and print-out made during the current week and the previous fifteen days as required under these regulations; and

(iii) the record sheets corresponding to the same period as the one referred to in the previous sub-paragraph during which he drove a vehicle fitted with recording equipment in conformity with Annex I to the Council Regulation on recording equipment.

However, after 1st January 2008, the time periods referred to under sub-paragraph (ii) shall cover the current day and the previous twenty-eight days.

(3) A transport undertaking which uses vehicles that are fitted with recording equipment complying with Annex IB to the Council Regulation on recording equipment and that fall within the scope of these regulations shall:

(i) ensure that all data are downloaded from the vehicle unit at least every three months and from the driver card at least every twenty-eight days;

(ii) ensure that all data downloaded from both the vehicle unit and driver card are kept at least twelve months following recording and, should any inspecting officer request it, such data are accessible, either directly or remotely, from the premises of the undertaking.

Checks on compliance. S.L. 65.19 S.L. 65.20

41. An authorised inspecting officer shall check compliance with the provisions of the Motor Vehicles (Carriage of Goods by Road) Regulations and the Motor Vehicles (Carriage of Passengers by Road) Regulations relating to working hours and break times by analysis of the record sheets, of the displayed or printed data which have been recorded by the recording equipment or by the driver card or, failing this, by analysis of any other supporting document that justifies non-compliance with a provision, such as those laid down in regulation 42(4).

Breakdown or faulty operation of equipment.

42. (1) In the event of breakdown or faulty operation of the equipment, the employer shall have it repaired by an approved fitter or workshop, as soon as circumstances permit.

(2) If the vehicle is unable to return to the employer's premises within a period of one week calculated from the day of the breakdown or of the discovery of defective operation, the repair shall be carried out *en route*.

(3) The Authority may prohibit the use of any vehicle where such breakdown or faulty operation has not been repaired as provided in the foregoing sub-regulations.

(4) While the recording equipment is unserviceable or malfunctioning, drivers shall mark on the record sheet or sheets, or on a temporary sheet to be attached to the record sheet or to the driver card, on which he shall enter data enabling him to be identified (driver's card number and, or name and, or driving

licence number), including his signature, all information for the various periods of time which are no longer recorded or printed out correctly by the recording equipment.

Provisions Specific to the Use of Driver Cards

Applicability.

43. The provisions applicable to the use of record sheets shall *mutatis mutandis* apply to the use of driver cards.

Damaged, etc., driver card. *Substituted by: L.N. 345 of 2007.*

44. Where a driver card is damaged, malfunctions, or is not in the possession of the driver, the driver shall:

(*a*) at the start of his journey, print out the details of the vehicle the driver is driving, and shall enter onto that printout -

(i) details that enable the driver to be identified (name, driver card or driver's licence number), including his signature,

(ii) the periods referred to in regulation 36(*i*), sub-paragraphs (ii), (iii) and (iv);

(*b*) at the end of his journey, print out the information relating to periods of time recorded by the recording equipment, record any periods of other work, availability and rest undertaken since the print-out that was made at the start of the journey, where not recorded by the tachograph, and mark on that document details that enable the driver to be identified (name, driver card or driver's licence number) including the driver's signature.

Driver card is unique and personalised.

45. Driver cards shall be:

(*a*) issued and personalised by the Authority;

(*b*) not be valid for more than five years;

(*c*) unique to each driver; and

(*d*) non-transferable.

Employer and driver to ensure printing can be done correctly.

46. Where the vehicle is fitted with recording equipment, the employer and the driver shall ensure that, taking into consideration the length of the period of service, printing on request can be carried out correctly in the event of an inspection.

Duty to ensure correct functions.

47. Where a driver is required to drive a vehicle fitted with new advanced recording equipment, the employer and drivers shall ensure:

(*a*) the correct functioning and proper use of the recording equipment and any driver card;

(*b*) that data recorded and stored by recording equipment can be made available for at least 365 days after the date of their recording and that they can be made available under conditions that guarantee the security and accuracy of the data.

Conditions of normal residence. *Amended by: L.N. 426 of 2012.*

48. For the purposes of this Part the conditions of normal residence need not be satisfied by persons carrying out fixed-term assignments in Malta and residing in Malta for that purpose. In such a case -

(*a*) drivers shall produce proof of their place of normal residence by any appropriate means, such as any legally valid identification document;

(*b*) where the Authority, having issued the driver card, has reason to doubt the validity of a statement as to normal residence made in accordance with paragraph (*a*), or requires to exercise specific controls within its duties, it may request any additional information or evidence thereof;

(*c*) when issuing a driver card the Authority shall, as far as possible, ensure that the applicant does not already hold a valid driver card.

Country symbols.

49. he driver shall enter in the recording equipment the symbols of the countries in which he begins and ends his daily work period. This data shall be entered by the driver, either manually or automatically if the recording equipment is linked to a satellite tracking system.

Loss or theft of driver card.

50. If the driver card is damaged, malfunctions or is lost or stolen:

(*a*) the driver shall apply within seven calendar days for its replacement;

(*b*) the Authority shall supply a replacement card within five working days of receiving a detailed request to that effect.

Renewal, replacement or exchange of driver card. *Amended by: L.N. 348 of 2005.*

51. (1) Where the Authority is requested to renew, replace or exchange the driver card of a Maltese national, whose card has been issued by the Authority of a Member State, it shall inform the foreign Authority which issued the old card of the precise reasons for its renewal, replacement or exchange.

(2) Where a driver wishes to renew his driver card, he shall apply to the Authority not later than 15 working days before the expiry date of the card, and the Authority shall supply a new card before the expiry date.

(3) The driver card, during its official period of validity, may be withdrawn or suspended if the Authority finds that:

(*a*) the card has been falsified, or

(*b*) the driver is using a card of which he is not the holder, or

(*c*) the card held has been obtained on the basis of false declarations and, or forged documents.

PART V

INSTALLATION AND USE OF TAXIMETERS

Part V - regulations 52 to 63 - has been revoked by Legal Notice 215 of 2011.

PART VI

MINIMUM TREAD DEPTH OF TYRES

Minimum tread depth of tyres.

64. The minimum tread depth in the main grooves of tyres used on vehicles in Category M1, N1 and O1 and O2 shall be 1.6 mm when circulating on the public highway in Malta.

Circulation on public highways.

65. No vehicle in Category M1, N1, O1 and O2 shall be allowed to circulate on the public highway if the tread depth of any of its tyres is less than the minimum depth stipulated in the previous regulation.

Exclusions.

66. The Minister may by regulation exclude from the application of the previous regulation certain vehicles which are declared to be of historical value and used infrequently on the public highway, that were originally equipped with tyres which, when new, had a tread depth of less than 1.6 mm.

PART VII

Added by: L.N. 422 of 2016.

INSTALLATION OF ON-BOARD WEIGHING EQUIPMENT

Objective. *Added by: L.N. 422 of 2016.*

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. *Added by: L.N. 422 of 2016.*

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.

Automatic systems. *Added by: L.N. 422 of 2016.*

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. *Added by: L.N. 422 of 2016.*

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. *Added by: L.N. 422 of 2016.*

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. *Added by: L.N. 422 of 2016.*

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

PART VIII

OFFENCES AND PENALTIES

Offences and fines. *Amended by: L.N. 348 of 2005; L.N. 408 of 2007.*

73. (1) No person shall:

(*a*) falsify, suppress or destroy data recorded on the record sheet, stored in the equipment or on print-outs from the equipment and, in the case of recording equipment, on a driver card;

(*b*) effect any manipulation of the equipment, record sheet or driver card which may result in data and, or printed information being falsified, suppressed or destroyed;

(*c*) carry any device which could be used to this effect on the vehicle;

(*d*) falsify any record or entry on a record sheet with the intent to deceive, alter or cause or permit to be altered any such record or entry;

(*e*) tamper with any recording equipment installed in accordance with these regulations or any guidelines provided by the Authority unless duly authorised by the Authority to do so.

(2) The Authority may impose upon any person who commits the offences referred to in sub-regulation (1) a fine (*ammenda*) of fifty-eight euro and twenty-three cents (58.23).

(3) Any person who in any other way fails to comply with these regulations shall be liable to a fine (*ammenda*) of fifty-eight euro and twenty-three cents (58.23).

(4) Where the offence or failure to comply with these regulations results in, or could be the possible cause of an offence prosecutable by the Court of Magistrates (Malta) or (Gozo) in its criminal jurisdiction or by the Criminal Court, the fine in question shall be a civil debt collectable by the Authority upon conclusion of the criminal proceedings.

FIRST SCHEDULE

Amended by:
L.N. 348 of 2005;
L.N. 422 of 2016;
L.N. 397 of 2021.

GENERAL MAXIMUM WEIGHTS AND DIMENSIONS AND RELATED CHARACTERISTICS OF VEHICLES

(Regulation 8, 9, 10, 11)

1	Maximum authorised dimensions (m)	
1.1	*Maximum length*:	
	- motor vehicle	12.00 m
	- trailer	12.00 m
	- articulated vehicle	16.50 m
	- road train	18.75 m
	- articulated bus	18.00 m
1.2	*Maximum width*	
	- all vehicles except the vehicles referred to in 1.2(*b*) below	2.55 m
	- superstructures of conditioned vehicles or conditioned containers or swap bodies transported by vehicles	2.6 m
1.3	*Maximum height (any vehicle)*	4.0 m
1.4	*Removable superstructures and standardized freight items such as containers are included in the dimensions specified in points 1.1, 1.2, 1.3, 1.6, 1.7, 1.8 and 4.4*	
1.4A	If any removable attachments, such as ski-boxes, are fitted to a bus, its length, including the attachments, must not exceed the maximum length laid down in paragraph 1.1.	
1.5	Any motor vehicle or vehicle combination which is in motion must be able to turn within a swept circle having an outer radius of 12.50 m and an inner radius of 5.30 m	
1.5A	*Additional requirements for buses.*	
	With the vehicle stationary, a vertical plane tangential to the side of the vehicle and facing outwards from the circle shall be established by marking a line on the ground. In the case of an articulated vehicle, the two rigid portions shall be aligned with the plane.	
	When the vehicle moves from a straight line approach into the circular area described in paragraph 1.5, no part of it shall move outside of that vertical plane by more than 0.60 m.	
1.6	Maximum distance between the axis of the fifth-wheel king pin and the rear of a semi-trailer	12.0 m

1.7	Maximum distance measured parallel to the longitudinal axis of the road train from the foremost external point of the loading area behind the cabin to the rearmost external point of the trailer of the combination, minus the distance between the rear of the drawing vehicle and the front of the trailer	15.65 m
1.8	Maximum distance measured parallel to the longitudinal axis of the road train from the foremost external point of the loading area behind the cabin to the rearmost external point of the trailer of the combination	16.4 m
2	Maximum Authorised vehicle weight (in tonnes)	
2.1	*Vehicles forming part of a vehicle combination*	
2.1.1	Two-axle trailer	18.0 tonnes
2.1.2	Three-axle trailer	24.0 tonnes
2.2	*Vehicle combinations*	
2.2.1	Road trains 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 trailer	40.0 tonnes
2.2	*Vehicle Combinations*	
2.2.1	Road trains with five or six axles In the case of vehicle combinations including alternatively fuelled or zero-emission vehicles, the maximum authorised weights provided for in this section shall be increased by the additional weight of the alternative fuel or zero-emission technology with a maximum of 1 tonne and 2 tonnes respectively.	
	(a) two-axle motor vehicle with three-axle semi-trailer	40.0 tonnes
	(b) three-axle motor vehicle with two or three-axle trailer	40.0 tonnes
2.2.2	Articulated vehicles with five or six axles In the case of vehicle combinations including alternatively fuelled or zero-emission vehicles, the maximum authorised weights provided for in this section shall be increased by the additional weight of the alternative fuel or zero-emission technology with a maximum of 1 tonne and 2 tonnes respectively.	
	(a) two-axle motor vehicle with three-axle semi-trailer	40.0tonnes
	(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
2.2.3	Road trains with four axles consisting of a two-axle motor vehicle and a two-axle trailer In the case of vehicle combinations including alternatively fuelled or zero-emission vehicles, the maximum authorised weights provided for in this section shall be increased by the additional weight of the alternative fuel or zero-emission technology with a maximum of 1 tonne and 2 tonnes respectively.	36.0 tonnes
2.2.4	Articulated vehicles with four axles consisting of a two-axle motor vehicle and a two-axle semi-trailer, if the distance between the axles of the semi-trailer: In the case of vehicle combinations including alternatively fuelled or zero-emission vehicles, the maximum authorised weights provided for in this section shall be increased by the additional weight of the alternative fuel or zero-emission technology with a maximum of 1 tonne and 2 tonnes respectively.	
2.2.4.1	- is 1.3m or greater but not more than 1.8m	36.0 tonnes

2.2.4.2	- is greater than 1.8 m	36.0 tonnes + 2 tonnes margin when the maximum authorised weight (MAW) of the motor vehicle (18 tonnes) and the MAW of the tandem axle of the semi-trailer (20 tonnes) are respected and the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Community as defined in Annex II of Directive 96/53/EC.
2.3	*Motor Vehicles*	
2.3.1	Two-axle motor vehicles other than buses	18.0 tonnes
	Two-axle alternatively fuelled motor vehicles other than buses	The maximum authorised weight of 18 tonnes is increased by the additional weight required for the alternative fuel technology with a maximum of 1 tonne

	Zero-emission vehicles	The maximum authorised weight of 18 tonnes is increased by the additional weight of the zero-emission technology with a maximum of 2 tonnes
	Two-axle buses	19.5 tonnes
2.3.2	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

	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

2.3.3	Four-axle motor vehicles with two steering axles	32.0 tonnes. Where the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Community as defined in Annex II, or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9,5 tonnes
2.4	*Three-axle articulated buses*	28.0 tonnes
	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

	Three-axle articulated buses that are zero-emission vehicles	The maximum authorised weight of 28 tonnes is increased by the additional weight of the zero-emission technology with a maximum of 2 tonnes
3	Maximum authorised axle weight (in tonnes)	
3.1	*Single axles* - single non-driving axle	10.0 tonnes
3.2	*Tandem axles of trailers and semi-trailers* The sum of the axle weights per tandem axle must not exceed, if the distance (d) between the axles is:	
3.2.1	less than 1 m (d < 1,0)	11 tonnes
3.2.2	between 1,0 m and less than 1,3 m (1,0 ≤ d < 1,3)	16 tonnes
3.2.3	between 1,3 m and less than 1,8 m (1,3 ≤ d < 1,8)	18 tonnes
3.2.4	1,8 m or more (1,8 ≤ d)	20 tonnes
3.3	*Tri-axles of trailers and semi-trailers* The sum of the axle weights per tri-axle must not exceed, if the distance (d) between the axles is:	
3.3.1	1,3 m or less (d ≤ 1,3)	21 tonnes
3.3.2	over 1,3 m and up to 1,4 m (1,3 <d ≤ 1,4)	24 tonnes
3.4	*Driving axle*	
3.4.1	Driving axle of the vehicles referred to in 2.2.1 and 2.2.2	11,5 tonnes
3.4.2	Driving axle of the vehicles referred to in points 2.2.3, 2.2.4, 2.3 and 2.4	11,5 tonnes
3.5	*Tandem axles of motor vehicles* The sum of the axle weights per tandem axle must not exceed, if the distance (d) between the axles is:	
3.5.1	less than 1 m (d < 1,0)	11,5 tonnes
3.5.2	1,0 m or greater but less than 1,3 m (1,0 ≤ d < 1,3)	16 tonnes

3.5.3	1,3 m or greater but less than 1,8 m (1,3 ≤ d < 1,8)	18 tonnes 19 tonnes where the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Community as defined in Annex II, or where each driving axle is fitted with twin tyres and where the maximum weight for each axle does not exceed 9,5 tonnes
4	Related characteristics	
4.1	*All vehicles* The weight borne by the driving axle or driving axles of a vehicle or vehicle combination must not be less than 25% of the total laden weight of the vehicle or vehicle combination, when used in intemationa1 traffic	
4.2	*Road Trains* The distance between the rear axle of a motor vehicle and the front axle of a trailer must not be less than 3.00 m	
4.3	*Maximum authorized weight depending on the wheelbase* The maximum authorized weight in tonnes of a four-axle motor vehicle may not exceed five times the distance in metres between the axes of the foremost and rearmost axles of the vehicle	
4.4	*Semi-trailers* The distance measured horizontally between the axis of the fifth-wheel king pin and any point at the front of the semi-trailer must not exceed 2.04 m	

Amended by:
L.N. 348 of 2005.

SECOND SCHEDULE

Amended by:
L.N. 348 of 2005.

(Regulation 14)

PLATE RELATING TO DIMENSIONS

I. The plate relating to dimensions, as far as possible affixed next to the plate referred to in regulation 14, must contain the following data:

1. name of the manufacturer ([1]);
2. vehicle identification number ([2]);
3. length of the motor vehicle, trailer or semi-trailer (L);
4. width of the motor vehicle, trailer or semi-trailer (W);
5. data for the measurement of the length of vehicle combinations:
   - the distance (*a*) between the front of the motor vehicle and the centre of the coupling device (coupling hook or fifth wheel); in the case of a fifth wheel with several coupling points, the minimum and maximum values must be given (amin and amax),
   - the distance (*b*) between the centre of the coupling device of the trailer (fifth wheel ring) or of the semi-trailer (kingpin) and the rear of the trailer or of the semi-trailer; in the case of a device with several coupling points, the minimum and maximum values must be given (bmin and bmax).

The length of vehicle combinations is the length of the motor vehicle and trailer or semi-trailer placed in a straight line behind each other.

II. The values given on the proof of compliance shall reproduce exactly the measurements carried out directly on the vehicle.

([1]) This information need not be repeated where the vehicle carries a single plate containing data on both weights and dimensions.

THIRD SCHEDULE

Amended by:
L.N. 348 of 2005.
Substituted by:
L.N. 345 of 2007.

(Regulation 28)

VEHICLES EXEMPTED FROM THE REQUIREMENT OF INSTALLING RECORDING EQUIPMENT

1. Vehicles with a maximum authorised speed not exceeding 40 kph.

2. Vehicles owned or hired without a driver by the armed services, civil defence services, fire services and forces responsible for maintaining public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control.

3. Vehicles, including vehicles used in the non-commercial transport of humanitarian aid, used in emergencies or rescue operations.

4. Specialised vehicles used for medical purposes.

5. Specialised breakdown vehicles operating within a 100km radius of their base.

6. Vehicles undergoing road tests for technical development, repair or maintenance purposes, and new or rebuilt vehicles which have not yet been put into service.

7. Vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used for the non-commercial carriage of goods.

8. Commercial vehicles which have a historic status and which are used for the non-commercial carriage of passengers or goods.

9. Vehicles or combination of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used for carrying materials, equipment or machinery for the driver's use in the course of his work.

FOURTH SCHEDULE

Amended by:
L.N. 348 of 2005.

(Regulation 35)

PROCEDURES FOR CHECKING AND INSPECTING RECORDING EQUIPMENT

The Authority shall nominate the bodies which shall carry out the checks and inspections.

1. Certification of new or repaired instruments: Every individual device, whether new or repaired, shall be certified in respect of its correct operation and the accuracy of its readings and recordings, within the limits laid down by the Authority, by means of sealing in accordance with requirements to be laid down by the Authority.

2. The Authority may stipulate an initial verification, consisting of a check on and confirmation of the conformity of a new or repaired device with the type-approved model or may delegate the power to certify to the manufacturers or to its authorised agents.

3. When being fitted to a vehicle, the equipment and the whole installation must comply with the provisions relating to maximum tolerances laid down by the Authority.

The inspection tests shall be carried out by the approved fitter or workshop on his or its responsibility.

4. (*a*) Periodic inspections of the equipment fitted to vehicles shall take place at least every two years and may be carried out in conjunction with roadworthiness tests of vehicles.

These inspections shall include the following checks:

- that the equipment is working correctly including the downloading of data to and from the workshop card,
- that the equipment carries the type approval mark,
- that the installation plaque is affixed,
- that the seals on the equipment and on the other parts of the installation are intact,
- the actual circumference of the tyres.

(*b*) An inspection to ensure compliance with any law or regulation in force in Malta relating to the maximum tolerances in use shall be carried out at least once every six years, although the Authority may stipulate a shorter interval or such inspection in respect of vehicles registered in its territory. Such inspections must include replacement of the installation plaque.

5. The measurement of errors on installation and during use s hall be carried out under the following conditions, which are to be regarded as constituting standard test conditions:

- vehicle unladen, in normal running order
- tyre pressures in accordance with the manufacturer’s instructions,
- tyre wear within the limits allowed by law,
- movement of the vehicle: the vehicle must proceed, driven by its own

engine, in a straight line and on a level surface, at a speed of 50 ± 5 km/h; provided that it is of comparable accuracy, the test may also be carried out on an appropriate test bench.

FIFTH SCHEDULE

Added by: L.N. 422 of 2016.

TYPE APPROVAL OF AERODYNAMIC DEVICES WITH THE AIM SCOPE OF IMPROVING ENERGY EFFICIENCY

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.

SIXTH SCHEDULE

Added by:
L.N. 422 of 2016.

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:

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

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 = Co where:

$$C_o \simeq 2\sqrt{KM}$$

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

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 A1 and A2, then the damping ratio D is:

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

'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 km/hr ± 1 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.

Figure 1

Step for suspension tests

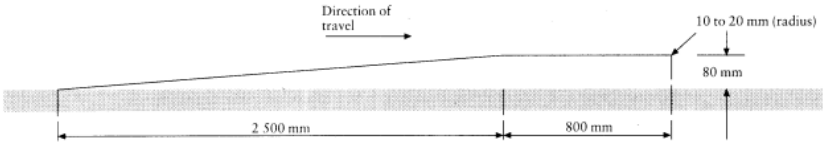


Figure 2

A damped transient response

