

L.N. 298 of 2022

TRAFFIC REGULATION ORDINANCE

(CAP. 65)

**Motor Vehicle Roadworthiness Test (Amendment) Regulations,
2022**

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

1. (1) The title of these regulations is the Motor Vehicle Roadworthiness Test (Amendment) Regulations, 2022 and these regulations shall be read and construed as one with the Motor Vehicle Roadworthiness Test Regulations, hereinafter referred to as "the principal regulations".

Citation and scope.

S.L.65.15.

(2) The scope of these regulations is to reorganise the Fourth Schedule of the principal regulations to better reflect Annex III of Directive 2014/45/EU and to transpose the provisions of the following Commission Delegated Directives:

(a) Commission Delegated Directive (EU) 2021/1716 of 29 June 2021 amending Directive 2014/47/EU of the European Parliament and of the Council as regards modifications to the vehicle category designations stemming from amendments to the type-approval legislation; and

(b) Commission Delegated Directive (EU) 2021/1717 of 9 July 2021 amending Directive 2014/45/EU of the European Parliament and of the Council as regards the updating of certain vehicle category designations and the addition of eCall to the list of test items, methods, reasons for failure and assessment of deficiencies in Annex I and Annex III to said Directive.

2. Regulation 1 of the principal regulations shall be substituted by the following new regulation:

Substitutes regulation 1 of the principal regulations.

"Citation and applicability.
S.L.65.15.

1. (1) The title of these regulations is the Motor Vehicle Roadworthiness Test Regulations.

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(2) These regulations shall apply to vehicles with a design speed exceeding 25km/h of the following categories, as referred to in Regulations (EU) No 167/2013, (EU) No 168/2013, and (EU) 2018/858 of the European Parliament and of the Council:

(a) motor vehicles designed and constructed primarily for the carriage of persons and their luggage comprising not more than eight seating positions in addition to the driver's seating position – vehicle category M1;

(b) motor vehicles designed and constructed primarily for the carriage of persons and their luggage comprising more than eight seating positions in addition to the driver's seating position – vehicle categories M2 and M3;

(c) motor vehicles designed and constructed primarily for the carriage of goods, having a maximum mass not exceeding 3.5 tonnes – vehicle category N1;

(d) motor vehicles designed and constructed primarily for the carriage of goods, having a maximum mass exceeding 3.5 tonnes – vehicle categories N2 and N3;

(e) trailers designed and constructed for the carriage of goods or persons, as well as for the accommodation of persons, having a maximum mass exceeding 3.5 tonnes – vehicle categories O3 and O4;

(f) wheeled tractors of categories T1b, T2b, T3b, T4.1b, T4.2b and T4.3b the use of which mainly takes place on public roads with a maximum design speed exceeding 40km/h;

(g) from a date when the Minister may by notice in the Gazette establish, two- or three-wheel vehicles – vehicle categories L3e, L4e, L5e and L7e equipped with a combustion engine with a displacement of more than 125 cm³."

Amends
regulation 2 of
the principal
regulations.

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

(a) the definition "approval" thereof shall be deleted;

(b) the definition "category M vehicle" thereof shall be deleted;

(c) the definition "chauffeur driven vehicle" thereof shall be substituted by the following new definition:

" "chauffeur driven vehicle" means a 'light passenger transport vehicle' as defined in the Light Passenger Transport Services and Vehicle Hire Services Regulations, and which for the purposes of these regulations is a category M1 vehicle;";

S.L. 65.33.

(d) the definition "goods vehicle" thereof shall be substituted by the following new definition:

" "goods vehicle" means any category N1, N2 or N3 vehicle;";

(e) the definitions "M1 vehicle", "M2 vehicle" and "M3 vehicle" thereof shall be deleted;

(f) the definitions "N1 vehicle", "N2 vehicle" and "N3 vehicle" thereof shall be deleted;

(g) the definitions "O1 trailer", "O2 trailer", "O3 trailer" and "O4 trailer" thereof shall be deleted;

(h) the definition "other vehicle" thereof shall be deleted;

(i) immediately after the definition "quadricycle" thereof, there shall be added the following new definitions:

" "Regulation (EU) No 167/2013" means Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles;

"Regulation (EU) No 168/2013" means Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles;

"Regulation (EU) 2018/858" means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC;";

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(j) the definition "T5 vehicle" thereof shall be deleted;
and

(k) the definition "test" thereof shall be deleted.

Amends
regulation 18E
of the principal
regulations.

4. Paragraph (a) of sub-regulation (1) of regulation 18E of the principal regulations shall be substituted by the following:

"(a) the areas and items, including the recommended methods of testing, listed in Annex I of Directive 2014/45/EU, with the exception of the following items:

(i) 2.4, 3.6, 5.3.2.1, 6.1.9,

(ii) 7.2 (only in respect of M1 category vehicles not used for hire),

(iii) 7.4 (only in respect of M1 category vehicles not used for hire, N and O category vehicles, and T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles),

(iv) 7.5 (only in respect of M1 category vehicles not used for hire, N and O category vehicles, and T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles),

(v) 7.6,

(vi) 7.13 (in respect of all vehicle categories, except M1 and N1 category vehicles from 20 May 2023),

(vii) 8.3,

(viii) 9.3 (in respect of all vehicle categories, except motor route buses, M2 and M3 category vehicles for hire),

(ix) 9.5 (in respect of all vehicle categories, except motor route buses),

(x) 9.8 (in respect of all vehicle categories, except electric trolley vehicles, Malta heritage buses, open top buses and trackless trains – all as defined in the Passenger Transport Services Regulations),

(xi) 9.9 (only in respect of M1 category vehicles not used for hire, N and O category vehicles, and T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles),

(xii) 9.12; and".

S.L.499.56.

5. The First Schedule to the principal regulations shall be amended as follows: Amends the First Schedule to the principal regulations.

(a) in paragraph A thereof, the words "(this item shall apply until 19 May 2018)" shall be deleted; and

(b) in paragraph I thereof, the words "N2, N3, M2, M3 and T5 vehicles." shall be substituted by the words "N2, N3, M2, M3, T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles."

6. In CATEGORY VIII of the Second Schedule to the principal regulations, the words "(T5 vehicles.)" shall be substituted by the words "(T1b, T2b, T3b, T4.1b, T4.2b and T4.3b vehicles)". Amends the Second Schedule to the principal regulations.

7. The Fourth Schedule to the principal regulations shall be substituted by the following new Schedule: Substitutes the Fourth Schedule to the principal regulations.

"FOURTH SCHEDULE
(Regulations 9 and 19)
SPECIFICATIONS FOR TESTING EQUIPMENT

I. Equipment

Vehicle roadworthiness tests undertaken in accordance with these regulations shall be carried out by using the appropriate equipment. The test equipment that is necessary will depend on the vehicle categories to be tested, as described in Table I. The fully-computerised test lane/s shall incorporate the following minimum equipment:

1. For each test lane, a pit or lift and, for the testing of vehicles having a maximum mass exceeding 3.5 tonnes, a device to lift a vehicle on one of the axles, equipped with appropriate lighting and, where necessary, with aeration devices;

2. For testing any vehicle, a roller brake tester capable of measuring, displaying and recording the braking forces and the air pressure in air brake systems, provided that with effect from 20 May 2023, such roller brake tester shall be in accordance with Annex A to standard ISO 21069-1 on the technical requirements of roller brake tester or equivalent standards;

3. For testing vehicles having a maximum mass not exceeding 3.5 tonnes, a roller brake tester in accordance with item 2, which may not have the capability of recording and displaying braking forces, pedal force and the air pressure in air brake systems, or

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A plate brake tester equivalent to the roller brake tester in accordance with item 2, which may not have the capability of recording and displaying the braking forces, pedal force and the air pressure in air brake systems;

4. A deceleration recording instrument, while non-continuous measurement instruments must record and, or store measurements at least 10 times per second;

5. Facilities for the testing of air brake systems, such as manometers, connectors and hoses;

6. A wheel or axle load measuring device to determine the axle loads (optional facilities for measuring two-wheel loads, such as wheel weight pads and axle weight pads);

7. A device for testing the wheel-axle suspension (wheel play detector) without lifting the axis, meeting the following requirements:

(a) the device must be equipped with at least two power-operated plates that can be moved in opposite sense in both the longitudinal and the transversal directions;

(b) the movement of the plates must be controllable by the operator from the testing position;

(c) for vehicles having a maximum mass exceeding 3.5 tonnes, the plates shall comply with the following technical requirements:

- longitudinal and transversal movement of at least 95 mm,

- longitudinal and transversal movement speed 5 cm/s to 15 cm/s;

8. A Class II sound level meter;

9. An exhaust gas analyser for petrol and diesel vehicles, provided that with effect from 20 May 2023, such analyser shall be a 4-gas analyser (carbon monoxide, carbon dioxide, oxygen and hydrocarbons) in accordance with Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments (recast);

10. A device for measuring the absorption coefficient with sufficient accuracy;

11. One headlamp aiming device allowing the setting of the headlight to be tested in accordance with the provisions for the setting of headlights of motor vehicles (Regulation (EU) 2019/2144); the light and dark boundary must be easily recognisable in daylight (without direct sunlight);

12. A device for measuring the tread depth of tyres;

13. A device to connect to the electronic vehicle interface, such as an OBD scan tool;

14. A device to detect LPG/CNG/LNG leakage, if such vehicles are tested.

Any of the above devices may be combined in one composite device, provided that this does not affect the accuracy of each device.

II. Calibration of equipment used for measurements

The interval between two successive calibrations may not exceed:

(i) 24 months for the measurement of weight, pressure and sound level;

(ii) 24 months for the measurement of forces;

(iii) 12 months for the measurement of gaseous emissions.

III. Other Requirements

The fully computerised test lane/s will be required to:

1. test the braking efficiency of service, secondary and parking brakes to at least 50% maximum permissible mass, 25% maximum permissible mass and 16% maximum permissible mass respectively, as well as a brake imbalance limit of at least 70% on every axle;

2. test the exhaust gas emissions of petrol engines at least for carbon monoxide and hydrocarbon gas levels to within manufacturers' specifications of at least 0% volume and 50 ppm respectively;

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3. measure the engine revolutions per minute and engine oil temperature at time of test;
4. perform a Lambda test as per makers' specification and have 1K as its limit value;
5. test exhaust gas opacity co-efficient of absorption of both naturally aspirated and turbo-charged diesel engines as per makers' specifications (minimum scale range is $K = 0$ to $6m^{-1}$);
6. test steering free play through the use of wheel turning plates;
7. have the facility to lift vehicles for under-vehicle inspection and to raise separate axles to determine steering and suspension wear and tear;
8. test headlamp aim to pre-set limits within the band tolerances on the equipment aiming screen as required for headlamp type and height setting;
9. perform exhaust system sound level testing;
10. print and transmit to link at Land Transport Directorate, the limits and actual values resulting from tests carried out, as well as the particulars of the relative authorised testing station and of the vehicle undergoing the test, and the date and time of test.

The software, hardware and communications equipment used by operators must be capable of on-line retrieval and update of the vehicle databases in use by the Land Transport Directorate. The software, hardware and communications equipment used by operators must be in accordance with Government standards.

Table I*

Minimum equipment required for the purpose of performing a roadworthiness test																	
Vehicles		Category		Equipment required for each item listed in section I													
				1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Maximum Mass		**														
1.Motorcycles																	
		L1e	P								x	x		x	x	x	
		L3e, L4e	P								x	x		x	x	x	
		L3e, L4e	D								x		x	x	x	x	
		L2e	P	x							x	x		x	x	x	
		L2e	D	x							x		x	x	x	x	
		L5e	P	x							x	x		x	x	x	
		L5e	D	x							x		x	x	x	x	
		L6e	P	x							x	x		x	x	x	

[illegible]

** P...petrol (positive ignition); D...diesel (compression ignition)."

8. The table in the Eighth Schedule to the principal regulations shall be amended as follows:

(a) in Category VII thereof, the words "(L3e, L4e, L5e and L7e vehicles with an engine displacement of more than 125cm³)" shall be substituted by the words "(L3e, L4e, L5e and L7e vehicles with a combustion engine with a displacement of more than 125cm³)"; and

(b) in Category VIII thereof, the words "(T5 vehicles)" shall be substituted by the words "(T1b, T2b, T3b, T4.1b, T4.2b and T4.3b vehicles)".

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

(a) in Category VII thereof, the words "(L3e, L4e, L5e and L7e vehicles with an engine displacement of more than 125cm³)" shall be substituted by the words "(L3e, L4e, L5e and L7e vehicles with a combustion engine with a displacement of more than 125cm³)";

(b) in Category VIII thereof, the words "(T5 vehicles)" shall be substituted by the words "(T1b, T2b, T3b, T4.1b, T4.2b and T4.3b vehicles)".