

L.N. 158 of 2023

**AUTHORITY FOR TRANSPORT IN MALTA ACT
(CAP. 499)**

Passenger Transport Services (Amendment) Regulations, 2023

IN EXERCISE of the powers conferred by article 43 of the Authority for Transport in Malta Act, the Minister responsible for Transport, after consultation with the Authority for Transport in Malta, has made the following regulations:-

Citation, scope
and
commencement.

S.L. 499. 56.

1. (1) The title of these regulations is the Passenger Transport Services (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Passenger Transport Services Regulations, hereinafter referred to as "the principal regulations".

(2) The scope of these regulations is:

(a) to require that minibuses which are not new motor vehicles shall only be registered if they meet the latest Euro VI emissions standard, while their maximum age from the year of manufacture shall not exceed ten (10) years;

(b) to extend by one (1) year and three (3) months the period of applicability of the obligation to pay the entry fee, and immediately after the end of this period;

(c) to remove the obligation of payment of the entry fee for minibuses which are new motor vehicles, while retaining it for passenger transport vehicles which are not new motor vehicles.

(3) These regulations shall come into force within two (2) months from their publication in the Gazette.

Amends
regulation 2 of
the principal
regulations.

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

(a) immediately after the definition "Member State" thereof there shall be added the following new definition:

" "minibus" means a passenger transport vehicle which has not more than twenty-nine (29) passenger seats, in addition to the driver's seat;"

(b) immediately after the definition "national passenger transport services" thereof there shall be added the following new definition:

" "national type approval" shall have the same meaning as assigned to it in Regulation (EU) 2018/858;"

(c) immediately after the definition "Regulation (EU) No 165/2014" thereof there shall be added the following new definition:

" "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;" and

(d) immediately after the definition "two way communication system" thereof there shall be added the following new definition:

" "type-approval certificate" shall have the same meaning as assigned to it in Regulation (EU) 2018/858;"

3. Sub-regulation (2) of regulation 28 of the principal regulations shall be amended as follows:

Amends
regulation 28 of
the principal
regulations.

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

"(b) has emissions levels that are classified as Euro VI according to Regulation (EC) No 595/2009 and not more than ten (10) years shall have passed from the year in which it would have been manufactured;" and

(b) paragraph (c) thereof shall be substituted by the following new paragraph:

"(c) is already registered for use on the road for hire or reward in any other country and has been issued a type-approval certificate or has been granted national type-approval by a competent authority of a Member State, or by any body approved by the Authority, and furthermore no modification was effected thereto after the issue of the said certificate or approval;"

Amends
regulation 117
of the principal
regulations.

4. Regulation 117 of the principal regulations shall be amended as follows:

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

"(1) For a period of fourteen (14) years and three (3) months from the coming into force of these regulations, the application fee for a passenger transport vehicle licence referred to in regulation 27 shall be made up of two (2) parts being the application fee and the entry fee, where this is applicable, as stipulated in Part 4 of the Tenth Schedule."; and

(b) sub-regulation (2) thereof shall be substituted by the following new sub-regulation:

"(2) After the end of the period above-mentioned, the obligation to pay the application fee stipulated in item 1 of Part 4 of the Tenth Schedule shall continue to apply, while the entry fee stipulated in item 2 of Part 4 of the Tenth Schedule shall, where this is applicable, continue to apply only for the licensing of passenger transport vehicles which are not new motor vehicles.".

Amends the
Tenth Schedule
to the principal
regulations.

5. In the proviso to item 2 of Part 4 of the Tenth Schedule to the principal regulations, immediately after the words "tail lift vans which are new motor vehicles," there shall be added the words "minibuses which are new motor vehicles that are licensed from 19th August 2023 onwards,".