

CHAPTER 65

TRAFFIC REGULATION ORDINANCE

To make provision for the regulation of traffic, and to grant certain powers to provide public service vehicles, and for other purposes connected therewith.

31st March, 1931

ORDINANCE X of 1931, as amended by Ordinances: XV of 1931, XXIII of 1935, XXVI of 1938, LIII of 1939 and XV of 1946; Acts: XXXVII of 1949 and XXVI of 1956; Emergency Ordinance VI of 1958; Ordinance XXV of 1962; Legal Notices: 4 of 1963 and 46 of 1965; Acts: XVI of 1969, II of 1972, XVII and XXXIV of 1974, and XLI of 1975; Legal Notice 148 of 1975; and Acts: XLI of 1976, XXXV and XL of 1977, [XXVII of 1980](#), [XV of 1981](#), [VI of 1982](#), [XIII of 1983](#), [XII of 1984](#), [XLII of 1986](#) and [VIII of 1990](#); Legal Notice [162 of 1990](#); and Acts [XII](#) and [XXIV of 1995](#), [XXXI of 1997](#) and [VI of 1998](#). And, in regard to the Schedule, by Resolutions passed by the Council of Government on the 12th March, 1940, and on the 16th December, 1941, and published by Govt. Notice No. 114 of 26th March, 1940, and Government Notice No. 578 of 23rd December, 1941, respectively; Act XV of 1946; Government Notice No. 18 of 1947; Acts: XXXVII of 1949, XXXIV of 1974, XLI of 1975, XXXV and XL of 1977, [XXVII of 1980](#), [XV of 1981](#), [VII](#) and [XIII of 1983](#), [XXXI of 1997](#), [VI of 1998](#), [IX](#) and [XXIII of 2000](#), [VI](#) and [XXVII of 2001](#), [III of 2002](#), and [XXII of 2005](#); Legal Notice [408 of 2007](#); and Acts [XIII of 2007](#), [XV](#) and [XXIII of 2009](#), [VII](#) and [XI of 2010](#), [V of 2011](#), [XXIV of 2014](#) and [XV of 2016](#), and [XIV of 2017](#), [XV of 2023](#) and [II of 2026](#).

1. The short title of this Ordinance is Traffic Regulation Ordinance.

Short title.

2. In this Ordinance -

the word "animal" means any horse, mule or donkey, when used for the conveyance or carriage of persons, corpses or goods;

the words "Authority" and "Authority for Transport in Malta" mean the Authority for Transport in Malta established under article 5 of the [Authority for Transport in Malta Act](#);

the words "electric kick scooter" or "e-kickscooter" means a stand-up device that has a handlebar, a deck and small hard wheels powered by an electric motor and which also allows for human propulsion;

"high occupancy vehicle" means a vehicle which, at the time of use, is carrying three or more passengers (including the driver);

"Member State" means a Member State of the European Economic Area;

the words "M1 motor vehicle" mean a vehicle used for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat;

The words "M2 motor vehicle" mean a vehicle 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;

the words "M3 motor vehicle" mean a vehicle used for the carriage

Interpretation.
Amended by:
XXVI. 1956.2;
XXV. 1962.2;
XL. 1977.2;
VI. 1982.2;
L.N. 162 of 1990;
XXIII. 2000.30;
XXIII. 2009.23;
XV. 2009.49;
V. 2011.3;
XV. 2016.10;
XV.2023.2;
II.2026.3.
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of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes;

the word "Minister" means the Minister responsible for transport;

the words "motor bus" mean any motor vehicle, capable of carrying more than seven passengers, used against payment for the conveyance of passengers;

the words "motor cycle" mean any two-wheeled vehicle, with or without a sidecar, fitted with an engine having a cylinder capacity of more than 50cm³ if of the internal combustion type and, or having a maximum design speed of more than 45km/h, and including a motor tricycle;

the words "motor vehicle" mean any vehicle propelled by mechanical power and includes a motorcycle, an e-kickscooter and, or a moped;

the words "motor vehicle for hire" mean a motor vehicle which is registered and licensed to be hired or leased from a vehicle hire services operator, and for the purpose of being driven by such hirer or lessee in accordance with the [Light Passenger Transport Services and Vehicle Hire Services Regulations](#);

S.L. 65.33.
S.L. 499.68.

the words "N1 motor vehicle" mean a vehicle used for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes;

the words "N2 motor vehicle" mean a vehicle used for the carriage of goods and having a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes;

the words "N3 motor vehicle" mean a vehicle used for the carriage of goods and having a maximum mass exceeding 12 tonnes;

the word "owner" means the person in whose name a motor vehicle is licensed;

the words "public transport" have the same meaning given to them by article 2 of the [Authority for Transport in Malta Act](#);

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the words "public transport vehicle" have the same meaning given to them by article 2 of the [Authority for Transport in Malta Act](#);

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"Treaty" means the Treaty establishing the European Community;

the word "vehicle" includes any carriage, karrozzin, animal drawn cart, car, motor vehicle, omnibus, motor cycle, moped, e-kickscooter, bicycle or other means of transport of any class or description intended for the conveyance or carriage of persons, corpses or goods:

Provided that no provision of this Ordinance or of any regulation made thereunder shall apply to any animal drawn vehicle unless the Minister makes regulations extending such provisions to be applicable thereto:

Provided further that unless otherwise stated in this Act, the definitions in the [Services \(Internal Market\) Act](#) shall apply;

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"vehicles on priority duties" includes any fire engines, ambulances, salvage and rescue vehicles, police vehicles, prison vehicles and other motor vehicles on priority duty as permitted by the Authority.

3. (1) With a view to protecting the public against the risks which arise in cases where the drivers of motor vehicles are suffering from excessive fatigue, the Minister on the advice of the Authority for Transport in Malta may make orders prescribing the continuous periods for which any person may drive or cause or permit any person employed by him or subject to his orders to drive any class of motor vehicle which may be specified in any such order.

Power of Minister to make orders limiting period of work by drivers of motor vehicles.

Added by:
XXVI. 1938.2.

Amended by:
VI. 1958.2;
XXV. 1962.2;
L.N. 4 of 1963;
XIII. 1983.5;
L.N. 162 of 1990;
XXIII. 2000.30;
L.N. 408 of 2007;
XV. 2009.49;
V. 2011.3.

(2) Any order made under this article may be revoked or varied by a subsequent order.

(3) Any person who acts in contravention of any order made by the Minister under this article shall, on conviction, be liable to a fine (*multa*) not exceeding forty-six euro and fifty-nine cents (46.59):

Provided that it shall be a valid defence to any charge under this article if the person charged proves to the satisfaction of the court that the contravention was due to unavoidable delaying the completion of any journey, arising out of circumstances which he could not reasonably have foreseen.

4. *Repealed by: XXIII. 2000.30.*

Appointment of Traffic Control Board.

Substituted by:
XXVI. 1956.3.
Amended by:
VI. 1958.2;
XXV. 1962.2;
L.N. 46 of 1965;
L.N. 162 of 1990;
IX. 2000.5.
Repealed by:
XXIII. 2000.30.

5. *Repealed by: V. 2011.4.*

Establishment of routes.

Amended by:
L.N. 4 of 1963.
Substituted by:
XVI. 1969.2.
Amended by:
L.N. 162 of 1990;
XXIII. 2000.30;
XV. 2009.49.

6. *Repealed by: V. 2011.4.*

Vehicles to ply under exclusive management of persons to whom service is allotted.

Amended by:
L.N. 162 of 1990;
XXIII. 2000.30;
XV. 2009.49.

- Withdrawal subject to re-issue of licences.
Amended by:
L.N. 162 of 1990;
XXIII. 2000.30;
XV. 2009.49.
7. *Repealed by: V. 2011.4.*
- Appointment of traffic inspectors.
Substituted by:
XLI.1975.2.
Amended by:
L.N. 162 of 1990;
XXIII. 2000.30;
XV. 2009.49.
8. *Repealed by: V. 2011.4.*
- Interference with the duties of traffic inspectors.
Amended by:
XIII.1983.5;
XXIII. 2000.30;
L.N. 408 of 2007.
9. *Repealed by: V. 2011.4.*
- Inciting persons to commit breach of contract.
Added by:
XV. 1931.2.
Amended by:
XIII. 1983.5;
L.N. 162 of 1990;
XXIII. 2000.30;
L.N. 408 of 2007;
XV. 2009.49.
10. *Repealed by: V. 2011.4.*
- Refusal to give name to traffic inspectors, etc.
Substituted by:
XLI. 1975.3.
Amended by:
XIII. 1983.5;
XXIII. 2000.30;
L.N. 408 of 2007.
11. *Repealed by: V. 2011.4.*
- Prohibition of smoking on route motor buses.
Added by:
XLI. 1976.2.
12. *Repealed by article 20 of Act XLII of 1986.*
- Power of Authority for Transport in Malta to allow extra buses etc., to ply on certain routes.
Amended by:
L.N. 162 of 1990;
XXIII. 2000.30;
XV. 2009.49.
13. *Repealed by: V. 2011.4.*

14. *Repealed by: V. 2011.4.*

Requisition by Authority for Transport in Malta of motorcars etc., in case of stoppage or suspension of service.

Added by:

XV. 1931.3.

Amended by:

L.N. 148 of 1975;

XIII. 1983.5;

L.N. 162 of 1990;

XXIV. 1995.360;

XXIII. 2000.30;

VI. 2001.7;

L.N. 408 of 2007;

XV. 2009.49.

15. (1) Any person who -

- (a) drives a motor vehicle or other vehicle without a licence or an unlicensed motor vehicle or other vehicle, or in a reckless, negligent or dangerous manner, provided that no licence shall be required in relation to a bicycle; or
- (b) causes, suffers or permits his car to be driven by a person not duly licensed to drive a motor vehicle or other vehicle, or when the motor vehicle or other vehicle is not licensed

Driving motor vehicle without licence, etc.

Amended by:

LIII. 1939.2;

XXVI. 1956.4;

XVII. 1974.2;

XIII. 1983.5;

L.N. 162 of 1990;

VI. 1998.2;

XXIII. 2000.30;

III. 2002.161;

L.N. 408 of 2007;

V. 2011.3;

XIV. 2017.2;

II. 2026.4.

shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) not exceeding one thousand and two hundred euro (€1,200) or to imprisonment not exceeding one year.

(1A) Any person who makes use of an identification number other than that allotted by the police or by the Authority in relation to a particular motor vehicle shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) not exceeding one thousand and two hundred euro (€1,200) or to imprisonment not exceeding six months or to both such fine and imprisonment.

(2) Where the offence consists in driving a motor vehicle or other vehicle in a grossly negligent or dangerous manner, the court shall, in addition to the punishment under sub-article (1), disqualify the offender for holding or obtaining a driving licence, in the case of a first conviction for a period of not less than three months, and in the case of a second or subsequent conviction for a period of not less than one year.

(3) In the case of any other offence under sub-article (1), the court shall, in addition to the punishment under that sub-article, disqualify the offender for holding or obtaining a driving licence for a period of not less than eight days.

(4) The Minister may by regulations under this article make provision whereby any disqualification to hold a licence or any revocation or suspension of a licence to drive a vehicle in a country outside Malta as may be designated in such regulations, shall have effect as if such disqualification, revocation or suspension was ordered by a Court or other authority in Malta to the extent and under such conditions as may be specified in such regulations, and

no licence issued under this Act shall be valid in any period where in accordance with such regulations such person is deemed disqualified from holding any licence or has his licence suspended or revoked.

(5) Any person who makes or produces or permits to be made or produced any material involving or indicating any persons to be in breach of the provisions listed in sub-article (1) or produces, distributes, disseminates, imports, exports, offers, sells, supplies, transmits, makes available, procures for oneself or for another, or indicates that such persons are in breach of the provisions listed in sub-article (1) shall, on conviction, be liable to a fine (*multa*) of one thousand two hundred euro (€1,200), or to imprisonment not exceeding one (1) year:

Provided that for the purposes of this article, the offence shall also be deemed to have been committed where, irrespective of the declared intention of the person, the circumstances of the publication are such that they are reasonably likely to:

- (a) normalise or diminish the seriousness of dangerous or excessive driving; or
- (b) encourage the imitation of such behaviour by other persons:

Provided further that if the person mentioned in this sub-article provides sufficient evidence before the courts for the identification of the person who is in breach of the provisions in sub-article (1), such person shall, upon conviction, be liable to a fine (*multa*) not exceeding two hundred fifty euro (€250).

Driving, etc., a motor vehicle while unfit to drive.

Added by:
VI. 1998.3.
Amended by:
XXIII. 2000.30;
V. 2011.3;
II.2026.5.

15A. (1) No person shall drive or attempt to drive or be in charge of a motor vehicle or other vehicle on a road or other public place if he is unfit to drive.

(2) For the purposes of this article, a person shall be deemed to be unfit to drive if his ability to drive properly is for the time being impaired.

Driving, etc., a motor vehicle with alcohol concentration in the breath etc., above the prescribed limit.

Added by:
VI. 1998.3.
Amended by:
XXIII. 2000.30.
Substituted by:
VII. 2010.40.
Amended by:
V. 2011.3;
XIV. 2017.3.

15B. (1) No person shall drive, attempt to drive or be in charge of a motor vehicle or other vehicle on a road or other public place after consuming so much alcohol that the proportion of it in his breath, blood or urine exceeds the prescribed limit.

(2) The Minister responsible for the Police may make regulations which provide for -

- (a) the procedures to be adopted by the Police or by the community officers in the carrying out of breathalyser tests;
- (b) the determination of the type of device to be used for the taking of the breathalyser test;
- (c) the procedure for the taking of body fluid specimens including blood;

- (d) the determination of the laboratory for the taking of body fluid specimens including blood:

Provided that the Minister responsible for the Police may, by regulations made under this Ordinance, amend, repeal or repeal and re-enact the schedules to this Ordinance.

15BA. (1) No person shall drive, attempt to drive or be in control of a motor vehicle or other vehicle on a road or other public place after consuming any drugs, if such person still has any amount of such drug in his body.

Driving a motor vehicle with drug concentration in the body.

(2) An offence under this article shall not be interpreted as an offence of drug possession.

15BB. The Minister responsible for the police may make regulations which provide for:

Power of the Minister responsible for Police to make regulations.

(a) the procedures to be adopted by the police in the carrying out of oral fluid drug tests;

(b) the determination of the type of device to be used for the taking of the oral fluid drug test;

(c) the procedure for the taking of body fluid specimens;

(d) the determination of the laboratory for the taking and testing of body fluid specimens;

(e) any other matters relating to police operations concerning the prevention of driving under the influence of alcohol or drugs:

Provided that the Minister responsible for the police may, by regulations made under this Ordinance, add Schedules or amend or repeal the Schedules annexed to this Ordinance to provide for the better implementation of this article.

15BA. (1) No person shall drive, attempt to drive or be in control of a motor vehicle or other vehicle on a road or other public place after consuming any drugs, if such person still has any amount of such drug in his body.

Driving a motor vehicle with drug concentration in the body.
Added by:
II.2026.6.

(2) An offence under this article shall not be interpreted as an offence of drug possession.

15BB. The Minister responsible for the police may make regulations which provide for:

Power of the Minister responsible for Police to make regulations.
Added by:
II.2026.6.

(a) the procedures to be adopted by the police in the carrying out of oral fluid drug tests;

(b) the determination of the type of device to be used for the taking of the oral fluid drug test;

(c) the procedure for the taking of body fluid specimens;

(d) the determination of the laboratory for the taking and testing of body fluid specimens;

(e) any other matters relating to police operations concerning the prevention of driving under the influence of alcohol or drugs:

Provided that the Minister responsible for the police may, by regulations made under this Ordinance, add Schedules or amend or repeal the Schedules annexed to this Ordinance to provide for the better implementation of this article.

Breath alcohol test.
Added by:
VI. 1998.3.
Amended by:
XXIII. 2000.30;
V. 2011.3.
Substituted by:
II.2026.7.

15C. (1) Where a Police officer reasonably suspects that:

(a) a person is driving or attempting to drive or is in control of a motor vehicle or other vehicle on a road or other public place and has alcohol in his body or has committed an offence against the provisions of this Ordinance or against any regulations made thereunder whilst the motor vehicle or other vehicle was in motion;

(b) a person has been driving or attempting to drive or has been in control of a motor vehicle or other vehicle on the road or other public place with alcohol in his body and that such person still has alcohol in his body;

(c) a person has been driving or attempting to drive or has been in control of a motor vehicle or other vehicle on the road or other public place and has committed an offence against the provisions of this Ordinance or against any regulations made thereunder whilst the motor vehicle or other vehicle was in motion; or

(d) a person was driving or was attempting to drive or was in control of a motor vehicle or other vehicle on the road or other public place when the said motor vehicle or other vehicle was involved in an accident,

he may require such person to provide a specimen of breath for a breath test.

(2) A Police officer may, without the need for reasonable suspicion in respect of a particular person, require any person who was driving or attempting to drive or was in control of a bus, coach, other vehicles carrying passengers for a fee, any M2 or M3 motor vehicle on the road or other public place during road checks in accordance with the provisions of article 355 of the [Criminal Code](#), to provide a specimen of breath for alcohol.

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(3) A Police officer shall require any person who was driving or attempting to drive or is in control of a motor vehicle or other vehicle on the road or other public place when involved in a serious traffic accident, to provide a specimen of breath for alcohol.

15CA. (1) Where a Police officer reasonably suspects that:

Specimen of oral
fluid for a drug
test.
Added by:
II.2026.8.

(a) a person is driving or attempting to drive or is in control of a motor vehicle or other vehicle on the road or other public place and has drugs in his body or has committed an offence against the provisions of this Ordinance or against any regulations made thereunder whilst the motor vehicle or other vehicle was in motion;

(b) a person has been driving or attempting to drive or has been in control of a motor vehicle or other vehicle on the road or other public place with drugs in his body and that person still has drugs in his body;

(c) a person has been driving or attempting to drive or has been in control of a motor vehicle or other vehicle on the road or other public place and has committed an offence against the provisions of this Ordinance or against any regulations made thereunder whilst the motor vehicle or other vehicle was in motion; or

(d) a person was driving or was attempting to drive or was in control of a motor vehicle or other vehicle on the road or other public place when the said motor vehicle or other vehicle was involved in an accident,

he may require such person to provide a specimen of oral fluid for a drug test.

(2) A Police officer may, without the need for reasonable suspicion, require any person who was driving or attempting to drive or is or was in control of a bus, coach, other vehicles carrying passengers for a fee, any M2 or M3 motor vehicle on a road or other public place during road checks in accordance with the provisions of article 355 of the [Criminal Code](#), to provide a specimen of oral fluid for a drug test.

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(3) A Police officer shall require any person who was driving or attempting to drive or is in control of a motor vehicle or

other vehicle on the road or other public place when involved in a serious traffic accident, to provide a specimen of oral fluid for a drug test.

Power to carry out
random tests.
Added by:
II.2026.8.

15CB. Notwithstanding the other provisions of this Ordinance or of any other law, when a Police officer reasonably considers it necessary, in the interests of public safety, public order or for the protection of the rights and freedoms of other persons, he may also require, even without the need for reasonable suspicion in a particular person, any person who was driving or attempting to drive or who is in control of a motor vehicle or other vehicle on a road or in any other public place to give a specimen of breath for alcohol or to give a specimen of oral fluid for a drug test.

Medicinals.
Added by:
II.2026.8.

15CC. For the purposes of articles 15BA, 15CA and 15CB, persons in possession of a valid drug control card or who are on prescribed medication shall produce such card or prescription after having tested positive to a drug test. The possession of such documentation shall not preclude conducting further tests to ascertain whether the person concerned has taken any controlled substance in accordance with the Dangerous Drugs Ordinance, nor shall it exempt such person from criminal responsibility.

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Prescribed limits
for
tetrahydrocanna-
binol.
Added by:
II.2026.8.

15CD. For the purposes of articles 15BA, 15CA and 15CB the permissible level of tetrahydrocannabinol in the blood shall be of two (2) microgrammes per litre of blood for persons driving vehicles, except for commercial vehicles, buses, coaches, other vehicles carrying passengers for a fee and any M2 or M3 motor vehicle. In those cases where a person only tests positive to tetrahydrocannabinol, such person shall be subject to the applicable punishment prescribed in article 15H:

Provided that if a person who is not driving commercial vehicles, buses, coaches, other vehicles carrying passengers for a fee and any M2 or M3 motor vehicles tests positive to tetrahydrocannabinol, he may be required to submit to further testing, including blood tests. If the level of tetrahydrocannabinol exceeds the amount prescribed, such person shall be subject to the applicable punishment prescribed in article 15H:

Provided further that if a person tests positive to other drug substances or alcohol besides tetrahydrocannabinol, he shall be subject to the applicable punishment prescribed in article 15H.

Powers of arrest.
Added by:
VI. 1998.3.
Amended by:
II.2026.9.

15D. A Police officer may proceed to the arrest of a person if -

- (a) as a result of a breath test or an oral fluid drug test, the Police officer reasonably suspects that the proportion of alcohol in that person's blood exceeds the prescribed limit, or such person tests positive for drugs; or
- (b) such person fails to provide a specimen of breath for a breath test, or a specimen of oral fluid for an oral fluid drug test, when required to do so in pursuance of the provisions of articles 15C, 15CA or 15CB and, only provided that such person had been warned that the failure or refusal to comply with such a request constitutes an offence.

15E. (1) In order to determine whether a person has committed an offence under articles 15A, 15B(1) and 15BA(1) a Police officer may require such person -

Provision of specimen for analysis.

Added by:

VI. 1998.3.

Amended by:

VII. 2010.41;

II.2026.10.

- (a) to provide a breath specimen or specimens for analysis by means of the approved device, according to regulations made under this Ordinance, and the result so obtained shall be admissible in evidence in any proceedings for an offence under articles 15A, 15B(1) and 15BA(1). The results of the analysis shall be presumed correct unless the contrary is proved; or
- (b) to provide a specimen or specimens of blood and urine for laboratory analysis, which shall take place at an approved laboratory, according to regulations made under this Ordinance, and the opinion of the analyst in that laboratory and the results of the analysis shall be admissible in evidence in any proceedings for an offence under articles 15A, 15B(1) and 15BA(1). The results of the analysis shall be presumed correct unless the contrary is proved:

Provided that the Police may in addition to the specimens of breath require also a specimen of blood or two specimens of urine; or

- (c) to provide a specimen or specimens of oral fluid for analysis by means of an approved device, in accordance with the [Drug Driving Testing Regulations](#), and the result so obtained shall be admissible as evidence in any proceedings related to an offence under articles 15A, 15B(1) and 15BA(1). The results of the analysis shall be presumed correct unless the contrary is proved; or
- (d) to provide a specimen or specimens of oral fluid for confirmatory analysis, which shall take place at an approved laboratory, according to the [Drug Driving Testing Regulations](#), and the results of the analysis shall be admissible as evidence in any proceedings for an offence under articles 15A, 15B(1) and 15BA (1). The results of the analysis shall be presumed correct unless the contrary is proved.

S.L. 65.34.

S.L. 65.34.

(2) *(Deleted by Act VII. 2010.41.).*

(3) *(Deleted by Act VII. 2010.41.).*

(4) A person who refuses or fails to provide the requisite specimen as provided under this article or regulations made under this Ordinance shall be guilty of an offence and unless the contrary is proved, it shall be presumed that the proportion of alcohol in that person's blood exceeds the prescribed limit or has drugs in his body, or in the case of tetrahydrocannabinol, exceeds the prescribed limit:

Provided that it shall be a defence for such person to prove that his failure to provide a specimen was due to physical or mental incapacity to provide it or because its provision would entail a substantial risk to his health.

(5) Where a person has been found guilty of an offence against any of the provisions of articles 15A, 15B or 15BA(1), the court may, besides sentencing the offender to the punishment applicable according to law, order him to pay the fees, or part thereof, due to the person or persons who shall have made the analysis under the provisions of this article.

(6) In a prosecution for an offence under articles 15 to 15I it shall be presumed, until the contrary is proved, that a device provided by a member of the police for the purpose of enabling a person to provide an oral fluid specimen is a device for indicating the presence of drugs in oral fluid.

Choice of specimens of breath, of oral fluid or of body fluid.

Added by:

VI. 1998.3.

Substituted by:

VII. 2010.42.

Amended by:

II.2026.11.

15F. (1) A person required to provide a specimen of breath, oral fluid or body fluid, and who consents to such procedure may be detained by the Police until such person provides the necessary specimen or until the person is no longer a danger to himself or to others.

(2) The Minister responsible for the police shall by regulations establish, and may, when established, alter by regulations, the allowed proportion of alcohol in the breath.

Detention of persons affected by alcohol or a drug.

Added by:

VI. 1998.3.

Amended by:

II.2026.12.

15G. A person required to provide a specimen of breath, blood, oral fluid or urine may be detained by the Police until it appears to the Police that such person is fit to drive.

Breath tests conducted by community officers.

Added by:

XIV. 2017.6.

15GA. (1) The provisions of article 15C shall apply *mutatis mutandis* to community officers and the procedures that shall be followed in the event that a community officer has a reasonable suspicion as defined in article 15C shall be those stipulated in this article.

(2) When a person refuses or refrains from providing a sample of breath to a community officer as required under this article, that person shall be guilty of an offence and the provisions of articles 15E(4) and 15H shall apply to that person *mutatis mutandis*.

(3) A person who refuses or fails to provide a sample of breath to a community officer in accordance with this article may be forbidden by the community officer from driving until the Police arrive and a person who keeps on driving despite the order given by the community officer not to drive shall be guilty of an offence as if the order given by the community officer was given by the Police.

(4) When, as a result of a breath test, a community officer has a reasonable suspicion that the proportion of alcohol in the blood of that person is more than the limit prescribed he shall request the presence of the Police on site and the person who has given the sample shall be forbidden by the community officer from driving and the provisions of sub-article (3) shall *mutatis mutandis* apply to that person.

15H. (1) Every person who contravenes any of the provisions of articles 15A, 15B and 15BA(1) shall be guilty of an offence and shall on conviction for such an offence or for an offence under sub-article (4) of article 15E be liable -

- (a) in the case of a first conviction, to a fine (*multa*) of not less than four thousand euro (€4,000);
- (b) in the case of a second or subsequent conviction, to a fine (*multa*) of not less than eight thousand euro (€8,000):

Provided that for the purposes of this article, the court shall not award the minimum punishment if a person has resulted positive to more than one (1) drug, or is under the influence of both a drug substance and alcohol.

(2) In addition to the punishments under sub-article (1), the court shall disqualify the offender from holding or obtaining a driving licence in the case of a first conviction for a period of not less than six months, and in the case of a second or subsequent conviction for a period of not less than one year:

(3) In addition to the penalties under sub-articles (1) and (2), the court may also impose a Probation Order in accordance with article 7 of the Probation Act which shall include an order whereby the offender shall be ordered to attend a rehabilitation programme, with expenses charged upon him, or a Community Service Order in accordance with article 11 of the Probation Act.

Provided that in the case of a conviction due to a person having been unfit to drive through drink or for an offence under article 15B, the provisions of this sub-article shall apply only where the proportion of alcohol in the breath, blood or urine exceeds the prescribed limit by eight microgrammes or more in the breath or by twenty milligrammes or more in the blood or by twenty-three milligrammes or more in urine.

(4) In addition to the punishments provided for under sub-articles (1) and (2), and without prejudice to any other measure or order which the court may impose by virtue of any other law, the court shall, upon delivering judgment, order the convicted person to reimburse the Police the costs incurred in connection with any drug test within such period and in such amount as shall be determined in the judgment.

(5) The provisions of sub-articles (2), (3) and (4) of article 533 of the [Criminal Code](#) shall apply, *mutatis mutandis*, in favour of the Police, in default of payment of the costs as determined by the court in accordance with sub-article (4).

15I. (1) For the purposes of this article and of articles 15A to 15H, unless the context otherwise requires -

"breath test" means a test for the purpose of determining, by means of a device of a type approved by the Minister, whether the proportion of alcohol in a person's breath is in excess of the limit prescribed by regulations under this Ordinance;

Offences and punishments.
Added by:
VI. 1998.3.
Amended by:
L.N. 408 of 2007;
VII. 2010.43;
XIV. 2017.4;
II.2026.13.

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Interpretation of articles 15A to 15I.
Added by:
VI. 1998.3.
Amended by:
VII. 2010.44;
XIV. 2017.5;
II.2026.14.

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Cap. 31.

"drug" shall have the same meaning as assigned to it in article 2 of the [Dangerous Drugs Ordinance](#) and in article 118A of the [Medical and Kindred Professions Ordinance](#):

- (a) with regard to driving or attempting to drive all vehicles except those mentioned in paragraphs (b), (c) or (d):
 - (i) 22 microgrammes of alcohol in 100 millilitres of breath; or
 - (ii) 50 milligrammes of alcohol in 100 millilitres of blood; or
 - (iii) 67 milligrammes of alcohol in 100 millilitres of urine;
- (b) with regard to driving or attempting to drive commercial vehicles:
 - (i) 9 microgrammes of alcohol in 100 millilitres of breath; or
 - (ii) 20 milligrammes of alcohol in 100 millilitres of blood; or
 - (iii) 27 milligrammes of alcohol in 100 millilitres of urine;
- (c) with regard to driving or attempting to drive buses, coaches, vehicles on priority duty and other vehicles carrying passengers for a fee:
 - (i) 0 microgrammes of alcohol in 100 millilitres of breath; or
 - (ii) 0 milligrammes of alcohol in 100 millilitres of blood; or
 - (iii) 0 milligrammes of alcohol in 100 millilitres of urine;
- (d) with regard to driving or attempting to drive by persons in possession of a probationary driving licence:
 - (i) 9 microgrammes of alcohol in 100 millilitres of breath; or
 - (ii) 20 milligrammes of alcohol in 100 millilitres of blood; or
 - (iii) 27 milligrammes of alcohol in 100 millilitres of urine;

Provided that the Minister responsible for the police may, by regulations, change the prescribed limits.

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"appropriate consent" shall have the same meaning as assigned to it in article 350 of the [Criminal Code](#);

"confirmatory test" means a specimen of an oral fluid obtained from a person suspected of committing an offence under this Ordinance or a person referred to in article 15CA or 15CB, after his preliminary test produced a positive result for drugs, which specimen is referred for analysis to an approved laboratory as listed in the Second Schedule of the [Drug Driving Testing Regulations](#);

S.L. 65.34.

"oral fluid drug test" means a test for the purpose of determining, by means of a device of a type approved by the Minister responsible for the police, whether a person is under the influence of drugs;

"preliminary test" means an oral fluid drug test carried out at the roadside, by a police officer using an approved device in accordance with the First Schedule to the [Drug Driving Testing Regulations](#);

S.L. 65.34.

"serious traffic accident" means any accident which occurred on a road or other public place involving a motor vehicle or other vehicle as a result of which any person suffers any bodily harm or from which the death of a person ensues;

(2) A person is deemed to have provided a specimen of blood only if he consents to it being taken by a medical practitioner and it is so taken in such quantity and of such quality as is capable of being properly analysed for the purposes of article 15E.

(3) A person shall be deemed to have provided a specimen of urine or breath only if that specimen is provided in such a manner and in such quantity and of such quality as is capable of being properly analysed for the purposes of article 15E or for the purposes of regulations made under this Ordinance.

15J. Any person who drives a motor-car or other vehicle through or emerges a red light shall be guilty of an offence and on conviction shall be liable to a fine (*multa*) of two hundred euro (€200).

Driving through or emerging a red light.
Added by:
VII. 2010.45.
Amended by:
XV. 2016.45;
XV.2023.3.

15K. When a person is brought before the court on a charge under article 225 of the [Criminal Code](#) resulting from driving a motor vehicle the prosecution shall request the Court of Magistrates to order the suspension of the accused's driving licence while the proceedings are pending. The decree of the Court of Magistrates shall be immediately enforceable but shall be subject to an appeal by an application filed within five (5) days before the Criminal Court and the said decree may be revised and made subject to such conditions as the Court may from time to time deem fit.

Precautionary suspension of licences.
Added by:
II.2026.15.
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Taking of blood specimens from persons who cannot give their consent.
Added by:
II.2026.15.

15L. (1) The procedure established in this article shall apply in cases where a person referred to in article 15CA(3):

- (a) cannot give his consent to a preliminary test and confirmatory test; or
- (b) cannot be subjected to a preliminary test and confirmatory test.

(2) Any medical practitioner attending a hospitalised person referred to in sub-article (1), while that person remains so hospitalised, shall upon the request of a police officer confirmed by an order of a Magistrate, be required to take a specimen of that patient's blood for analysis as soon as practicable.

(3) If there is no medical practitioner present to attend the hospitalised person referred to in article 15CA(3), the blood specimen shall be taken by a healthcare professional who is attending the patient and who is accredited by a hospital as competent to perform the sampling procedures.

(4) The taking of a blood specimen from a hospitalised person referred to in article 15CA(3) shall not be required in accordance with this article unless, at the time of the accident concerned, the patient concerned who was involved in the accident was:

- (a) driving a motor vehicle involved in the accident;
- (b) occupying the driver's seat of a motor vehicle involved in the accident and attempting to put the motor vehicle in motion; or
- (c) the holder of an applicable driver licence and occupying the seat in the motor vehicle next to a learner driver who was driving a motor vehicle involved in the accident.

Letting, without licence, motor vehicles to be driven by hirer.
Added by:
LIII. 1939.3.
Amended by:
XIII. 1983.5;
L.N. 162 of 1990;
XXIII. 2000.30;
L.N. 408 of 2007;
XV. 2009.49;
V. 2011.3.

16. (1) No person shall, without a licence from the Authority for Transport in Malta, carry on the business of hiring motor vehicles to be driven by the hirer or by a person under his control.

(2) Any person who acts in contravention of the provisions of sub-article (1) shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) not exceeding forty-six euro and fifty-nine cents (46.59).

(3) The licence, issued under sub-article (1), may be suspended or cancelled by the Authority for Transport in Malta, if the holder of the licence permits any motor vehicle to be used on the road, unless there is in force in relation to the user of that motor vehicle such a policy of insurance or such security in respect of third party risks as complies with the requirements of any law for the time being in force imposing such policy of insurance or security.

Proper use of taxi-meter.
Added by:
XII. 1984.2.
Amended by:
L.N. 408 of 2007;
V. 2011.5.

16A. (1) Every taxi-car shall be fitted with an appropriate taxi-meter for ascertaining the number of kilometres covered and the relative legal charges of each trip.

(2) Every taxi-meter which is fitted in a taxi-car shall be placed in a position which is easily visible to the passengers.

(3) Every person who carries passengers in a taxi-car shall ensure at the commencement of any hire that the taxi-meter of such

car is in proper order for correct registering in accordance with sub-article (1).

(4) No person shall carry passengers in a taxi-car if the taxi-meter of such car is not in proper order as required by this article or if such taxi-meter has its seals broken or is in any way tampered with.

(5) No person shall whilst carrying passengers in a taxi-car fail to operate the taxi-meter during any hire, or charge any amount in excess of the correct fare, or break the seals of the taxi-meter.

(6) Every person who contravenes any of the provisions of this article shall be guilty of an offence and shall on conviction be liable -

- (a) for a first offence, to a fine (*multa*) not exceeding five thousand euro (€5,000); for a second offence, to a fine (*multa*) not exceeding seven thousand euro (€7,000) or to imprisonment for a period of not more than three months; for a third or subsequent offence, to a fine (*multa*) not exceeding ten thousand euro (€10,000) or to imprisonment for a period of not more than six months or to both such fine and imprisonment;
- (b) to the immediate suspension or revocation of any prescribed permit, licence or authorisation;
- (c) any prescribed penalty points; and
- (d) the confiscation of the taxi-car for a period of:
 - (i) not less than one month but not exceeding three months for a first offence;
 - (ii) not less than three months but not exceeding six months for a second offence; and
 - (iii) not less than six months but not exceeding twelve months for a second and subsequent offence.

(7) The confiscation of the taxi-car as provided in sub-article (6) shall take place irrespective of whether the offender is the owner, or his employee or substitute, of such motor vehicle.

(8) The [Probation Act](#), and article 21 of the [Criminal Code](#), shall not be applicable in respect of an offence against any of the provisions of this article.

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16B. Nothing in this Ordinance shall be construed as limiting, restricting or otherwise affecting the application of any law, regulation or other rule made in pursuance of the [Services \(Internal Market\) Act](#).

Applicability of the
Services (Internal
Market) Act.
Added by:
XXIII. 2009.24.
Cap. 500.

17. Without prejudice to the provisions of article 16, it is prohibited to let or hire any vehicle for the conveyance of persons or for the carriage of goods without a licence from the Authority for Transport in Malta.

Licence to let
vehicle on hire.
Added by:
XXIII. 2000.30.
Amended by:
XV. 2009.49.

Fitness of vehicle.

Added by:
XXIII. 2000.30.
Amended by:
XXIII. 2009.25.

18. The licence mentioned in article 17 in respect of a vehicle for hire shall not be granted unless the Authority is satisfied that the vehicle is fit for public use, and provided with such fittings, accessories and brakes as, in the opinion of the Authority or, with respect to self-drive car hire, as provided for under this Ordinance or any other law, regulation or rule may be necessary for the safety and convenience of passengers.

Plates bearing registration number.

Added by:
XXIII. 2000.30.

19. A vehicle licensed in accordance with article 17 shall bear such plates showing an identification number and such distinctive letter as shall be allotted to it by the Authority. The said number and letter shall be of such pattern, colour and size as the Authority shall determine.

Vehicle without plate to be deemed unlicensed.

Added by:
XXIII. 2000.30.

20. Any vehicle standing or plying for hire, or actually on hire not having the plates referred to in the last preceding article, shall be deemed to be an unlicensed vehicle.

Construction of vehicles for hire.

Added by:
XXIII. 2000.30.

21. Every vehicle for hire shall be constructed in accordance with a design approved by the Authority.

Keeping of vehicle in good state of repair, etc.

Added by:
XXIII. 2000.30.

22. It shall not be lawful to use any vehicle for hire which is not kept in a good state of repair, cleanliness and decency in all its parts and accessories.

Vehicles for conveyance of persons not to be used for conveyance of corpses.

Added by:
XXIII. 2000.30.

23. No vehicle destined for the conveyance of persons shall be used for the conveyance of corpses.

Vehicles for conveyance of corpses.

Added by:
XXIII. 2000.30.

24. No vehicle shall be used for the conveyance of corpses without a special licence, which shall not be granted unless the vehicle be constructed in such form and provided with such fittings, accessories and lamps as the Authority shall direct.

Withdrawal of licence of vehicle for hire.

Added by:
XXIII. 2000.30.

25. The licence mentioned in article 17 shall be withdrawn if the vehicle is declared to be unfit for public use. The said licence shall be returned or, if lapsed, renewed when the vehicle is put in order to the satisfaction of the Authority.

Notice of sale or disposal of licensed vehicle.

Added by:
XXIII. 2000.30.

26. Any person named as owner or part-owner on a licence, who shall have sold or otherwise disposed of his interest in the vehicle to which the licence relates, shall give notice to the Authority of such sale or disposal, and shall at the same time produce the licence in order that a note may be entered thereon showing the material particulars of such sale or disposal; and in default of such notice and production, such person shall, notwithstanding such sale or disposal, continue to be subject to the provisions of this Ordinance as owner or part-owner of the vehicle.

Number of vehicle to be kept always visible to public.

Added by:
XXIII. 2000.30.

27. No owner or driver of a vehicle shall cause or suffer the number assigned by the Authority and affixed by means of a plate on the vehicle to be hidden from public view, or changed, or in any manner hinder any person from taking note thereof, or refuse to

declare such number to any person desiring to know the same.

28. Whenever the Authority may deem it expedient to change the identification number of a vehicle, notice shall be given to the person to whom the licence relative to such vehicle shall have been granted; such person shall, within seven days after such notice, produce the licence to the Authority, who shall assign another number plate and enter on the licence a note of such change. Such person shall affix on the vehicle the new number plate in the same manner as the original number plate was affixed, or in such manner as the Authority, may direct.

Power to change number of vehicle.
Added by:
XXIII. 2000.30.

29. It shall not be lawful to grant one single licence in respect of more than one vehicle.

Licence for each vehicle.
Added by:
XXIII. 2000.30.

30. No person shall act as driver of any vehicle for hire, other than a bicycle, without a licence from the Authority; and the owner of such vehicle shall not employ as driver any person not having such licence.

Driver of vehicle to be licensed.
Added by:
XXIII. 2000.30.

31. Such licence shall only be granted to persons of age who, in the opinion of the Authority, are of good conduct and fit to drive vehicles for hire.

Qualifications to act as driver.
Added by:
XXIII. 2000.30.

32. Such licence shall, upon conviction of the holder for a crime, be revoked or suspended for a stated period by the court passing judgement.

Licence to be revoked or suspended where driver is convicted of crime.
Added by:
XXIII. 2000.30.

33. The allegation that the person accused is a driver of a vehicle may, for the purposes of the last preceding article, be made, even after the conviction, by an application, provided such application is filed within eight days of such conviction.

Time within which to apply for revocation or suspension of licence after conviction.
Added by:
XXIII. 2000.30.

34. (1) Every driver of a passenger vehicle used for hire or reward shall, whilst driving the vehicle, wear in a conspicuous place on his breast in a manner that it may be easily seen, unless otherwise prescribed, an identification tag which will be given to him by the Authority.

Driver of passenger vehicle used for hire or reward to be in possession of identification tag.
Added by:
XXIII. 2000.30.
Amended by:
V. 2011.6.

(2) It shall not be lawful for any driver to lend his tag to any other person, or to suffer any other person to make use thereof, even though such other person is licensed to act as driver of a public transport vehicle; it shall likewise be unlawful for any person to make use of a tag granted to any other person.

Driver may not lend tag.

(3) If a driver loses his tag, he shall, without delay, give notice thereof to the Authority, and if he shows, to the satisfaction of the Authority, that the tag was lost without any fault on his part, he shall be given another tag by the Authority on the payment of any fee as may be prescribed.

Loss of tag.

Driver to carry
licence.
Added by:
XXIII. 2000.30.

35. Every driver licensed to drive a vehicle for hire shall, whilst driving the vehicle, or plying for hire, carry the licence on him and shall produce the same whenever requested by the Police or any other authority.

Owner or driver
may not refuse to
hire vehicle except
on reasonable
grounds.
Added by:
XXIII. 2000.30.

36. No owner or driver of a vehicle for hire shall, without reasonable excuse, refuse to let out such vehicle to any given place, or, at the choice of the person requiring the hire of the vehicle, for a specified or unspecified time not exceeding four hours, provided the person requiring the hire of the vehicle consents that such hire should commence from the moment in which the request for the hire is made.

Fare leviable for
hire of taxi-cars.
Added by:
XXIII. 2000.30.
Amended by:
XV. 2009.49;
V. 2011.7.
Cap. 499.

37. Notwithstanding anything contained in the last preceding article, no fare shall be leviable for the hire of any vehicle licensed as a taxi-car other than in accordance with the tariff contained in regulations made under article 43 of the [Authority for Transport in Malta Act](#).

Duty of owner or
driver to keep copy
of tariff.
Added by:
XXIII. 2000.30.

38. *Repealed by: V. 2011.4.*

Owner or driver
not to carry person
or thing on or
behind vehicle
without consent of
hirer.
Added by:
XXIII. 2000.30.

39. The owner or driver of a vehicle let out on hire shall not permit any person or thing to be carried in, on or about such vehicle, whilst on hire, without the consent of the hirer.

No person to act as
driver of vehicle
without consent of
owner.
Added by:
XXIII. 2000.30.

40. No person authorised by the owner of a vehicle to act as driver of such vehicle shall, except in case of necessity, suffer any other person to act as driver of such vehicle, without the consent of the owner thereof, and no person shall, except in case of necessity, act as driver of a vehicle, without the consent of the owner of such vehicle.

Compensation for
damage done by
driver may be
recovered from
owner.
Added by:
XXIII. 2000.30.
Amended by:
L.N. 408 of 2007;
V. 2011.3.

41. Where any damage has been caused to the property of others through the driving of a motor vehicle or other vehicle in a reckless, negligent or dangerous manner, it shall be lawful for the court by which the driver is convicted, to direct that the owner of the vehicle shall pay such a sum, not exceeding two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37), as appears to the court a reasonable compensation for such damage, saving any action for any greater sum where the damage caused is greater; and every owner who pays any such compensation as aforesaid may recover the same from the driver as a civil debt in respect of damages and interest.

Driver decently
dressed.
Added by:
XXIII. 2000.30.

42. *Repealed by: V. 2011.4.*

Driver not to refuse
to give way to
other vehicle, etc.
Added by:
XXIII. 2000.30.

43. (1) The driver of a vehicle shall, if he conveniently can, give way to any other vehicle and avoid obstructing the driver of any other vehicle in taking up or setting down any person into or

from such other vehicle.

(2) The driver of a vehicle shall, before turning a corner or on approaching a cross-road, proceed at a slow rate of speed, signal the direction in which he intends to proceed and, where necessary, sound the horn, bell or other device for signalling its approach.

Driver to slacken speed, etc., at corners or cross-roads.
Added by:
XXIII. 2000.30.

44. No person using any vehicle for hire shall wilfully and contrary to the use for which the vehicle is intended, do anything injuring such vehicle.

Damage to vehicle by hirer.
Added by:
XXIII. 2000.30.

45. (1) No licensed vehicle shall be exposed for hire, unless it is provided with such fittings, accessories and brakes as are, in the opinion of the Authority, necessary for the safety and convenience of passengers, or unless the animal and harness are, as regards condition and appearance, suitable for the work for which they are intended.

No licensed vehicle to stand for hire unless provided with proper fittings, etc.
Added by:
XXIII. 2000.30.
Amended by:
XI. 2010.30.

(2) It shall not be lawful to carry in the vehicle a greater number of persons than that fixed in the licence.

Number of passengers not to exceed that fixed in licence.

46. *Repealed by: V. 2011.4.*

Vehicles to stand for hire in places appointed by Authority.
Added by:
XXIII. 2000.30.

47. *Repealed by: V. 2011.4.*

Position of vehicles in stand. Vehicle not to pass through streets of Valletta at a very slow pace. Driver not to annoy persons by soliciting hire.
Added by:
XXIII. 2000.30.

48. No driver of any vehicle for hire shall suffer any passenger to drive such vehicle.

Passengers not to drive vehicle.
Added by:
XXIII. 2000.30.

49. Vehicles, other than motor vehicles, plying on the road shall between sunset and sunrise comply with such lighting requirements as may be prescribed.

Lights to be carried by vehicles.
Added by:
XXIII. 2000.30.
Amended by:
V. 2011.3.

50. It shall be lawful for the Authority, at all times, to compel the owner or driver of any vehicle for hire to perform such service of transport as is required in the interests of the public and to give the necessary directions, saving always such compensation as may be due according to law.

Power of Authority to require owner or driver to perform service of transport.
Added by:
XXIII. 2000.30.

Cancellation or suspension of licence.

Added by:
XXIII. 2000.30.
Amended by:
XV. 2009.49.

51. (1) It shall be lawful for the Authority for Transport in Malta to cancel or suspend for any period the licence of any driver who, in the exercise of his calling, shall infringe any of the provisions of this Act or in connection with the exercise of such licence contravenes any other law or otherwise behaves in a manner that does not befit the exercise of his calling.

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The provisions of article 469A of the [Code of Organization and Civil Procedure](#) shall apply to the exercise of the discretion of the Authority under this article.

Power of Police to seize vehicle in case of disobedience of lawful orders.

(2) Any Police officer may seize any vehicle for hire if the driver thereof refuses to obey a lawful order of the Police or in the case of any infringement of any of the provisions of this Ordinance or any regulation relating to vehicular traffic, and such vehicle may, upon an order in writing of any Police officer not inferior in rank to sub-inspector, be detained for a time not exceeding twenty-four hours, pending an inquiry into the circumstances of the case.

Power to make regulations.

Added by:
XXIII. 2000.30.
Amended by:
XV. 2009.49.

52. (1) The Commissioner of Police shall have power to make orders by notice in the Gazette, for controlling, restricting or prohibiting temporarily the passage or stopping of vehicles of any description through or in any street on the occasion of processions, religious ceremonies or other public solemnities or celebrations, or in connection with the repair of streets, laying of sewers or water mains and other works; signs shall be appropriately placed to indicate the prohibition or other restriction, unless a Police officer is present to control traffic.

(2) Such power may also be exercised by the Authority for Transport in Malta in connection with the repair of streets, laying of sewers or water mains and other works; signs shall be appropriately placed to indicate the prohibition or other restriction, unless a Police Officer is present to control traffic.

Recovery of compensation or expenses from owner or driver.

Added by:
XXIII. 2000.30.

53. Where under the provisions contained in this Ordinance, the Court of Magistrates shall have sentenced the owner or driver of any vehicle to pay any compensation or expenses, such compensation or expenses may be recovered through the same court in the same manner and with the same means provided by law for the enforcement of judgements delivered by the inferior courts in civil matters.

Power of the Minister to make regulations.

Substituted by:
XV.1946.2.
Amended by:
XXVI.1956.5;
XLI. 1975.4;
XL.1977.3;
VI.1982.3;
L.N. 162 of 1990;
XXIII. 2000.30;
XXVII. 2001.33;
V. 2011.3, 9.

54. (1) The Minister may, after consultation with the Authority, make regulations in respect of road traffic and the conveyance of persons or the carriage of goods.

(2) Without prejudice to the generality of the aforesaid powers, such regulations shall in particular provide:

- (a) for the grant, renewal, transfer, suspension and cancellation of licences in respect of motor vehicles, the drivers thereof, the conductors of motor buses, motor vehicle garages, and for such other licences in connection with motor vehicles and the users thereof as may be necessary;
- (b) for prescribing the services which must be given by a

motor bus, the time, manner and conditions in which or under which such service is to be given and the place from which orders, agreements or other arrangements for such services are to be given or made, and for requiring the distribution among the owners of buses, or of such part thereof as may be prescribed in the regulations, of all fares, fees and other receipts collected by them, in the manner, terms and conditions prescribed in the regulations;

- (c) concerning the construction, equipment, condition and maintenance of motor vehicles and the periodical examination of motor vehicles by official experts;
- (d) concerning the classification of motor vehicles according to their use as approved by the Authority;
- (e) for ordering inside motor vehicles the display of any information;
- (f) for prescribing the registers to be kept by licensees of motor vehicles licensed for hire, and the information to be supplied by such licensees to the Authority;
- (g) for controlling, restricting or prohibiting the passage or stopping of motor vehicles through or on any road, street, lane, square or other place of public thoroughfare;
- (h) for the management and control of parking places and of motor vehicles while they are standing on or moving into or out of parking places, for prescribing any charges to be made for parking, and the use of mechanical apparatus indicating the amount and payment of such charges, for traffic signs, for pedestrian crossings and for the restriction or control of the movement of pedestrians in, through or across any road, street or other places of public thoroughfare;
- (i) generally for the control of the use of motor vehicles on the road and for the regulation of traffic of motor vehicles on ferry-boats within the islands of Malta and Gozo and between such islands;
- (j) for the removal, storage or disposal or the clamping of any vehicle found on any road in contravention of any law or regulation made thereunder, or of any vehicle, seacraft or other thing causing a nuisance, inconvenience or obstruction in any street, road, quay, wharf or other public place, or where any licence or tax in respect thereof is not paid, or where any fine due in respect of any offence committed through the use of such vehicle has not been duly paid, and
 - for prescribing the fees that may be due with respect to removal and storage of vehicles and with respect to the clamping of vehicles;
 - for prescribing anything that may or may not be done with respect to clamping and clamped

vehicles;

- (k) for exempting the Commissioner of Police or any other authority from any liability for damages arising in connection with the removal, storage and disposal of motor vehicles, seacraft or any other thing in accordance with regulations made under this article;
- (l) for prescribing the fees payable for the removal, storage and disposal of any motor vehicle, seacraft or and other thing in accordance with regulations made under this article;
- (m) for any matter of procedure or of evidence in proceedings under or relating to this Ordinance or any regulations made thereunder.

(3) For the purposes of this article the terms "motor vehicle" shall include any other vehicle.

Offences against regulations.

Amended by:

XXIII. 1935.2;

XXVI. 1956.6;

II. 1972.2;

XVII. 1974.3;

XLI. 1975.5;

XXXV. 1977.2;

XL. 1977.4;

XXVII. 1980.2;

XV. 1981.2;

VI. 1982.4;

XIII. 1983.5;

L.N. 162 of 1990;

XXIII. 2000.30;

L.N. 408 of 2007;

XV. 2009.49;

V. 2011.3, 10.

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55. (1) Saving any other provision of this Ordinance, any person who commits an offence against any regulation made under article 54 shall, on conviction, be liable to the punishments laid down for contraventions in the [Criminal Code](#) but any such punishment shall in no case be less than a fine (*ammenda*) of eleven euro and sixty-five cents (11.65):

Provided that, in the case of an offence set out in the first column of the First Schedule to this Ordinance, the punishment awardable shall be that shown in the second column thereof and, in the case of an offence set out in the first column of the Second Schedule to this Ordinance, the punishment awardable shall in no case be less than the relative fine shown in the second column thereof.

(2) On conviction for any offence against such regulation the court shall, at the instance of the prosecution, in addition to the punishment under subarticle (1), disqualify the offender for holding or obtaining a driving licence or a licence in respect of the motor vehicle driven by him at the time of the offence for a period of not less than eight days.

(3) Whenever an offence against the provisions of any regulations made under article 54 has been committed and the offence is one of the offences set out in the first column of the Second Schedule to this Ordinance, the owner of the motor vehicle or, when the registered user is different from the owner, the registered user, or, in the case of a self-drive car, the person to whom it was hired, shall be responsible for the offence unless -

- (a) prior or during the proceedings he reveals the name of the person who committed the offence and that person admits with the Police to have committed the offence, or is found guilty by the court of having committed such an offence;
- (b) he proves before the court that the motor vehicle had been used without his permission or authority or without the permission or authority of the person who

had the temporary use thereof with the permission of the said owner or registered user or hirer, and reveals the identity of the person committing the offence, if known to him:

Provided that in the case of a self-drive car the owner thereof shall be responsible for the offence unless the relative fine has been paid.

(4) Saving the provisions of sub-article (2), where the offence consists in the contravention of any such regulation dealing with the emission of smoke, grit, dust, ashes or oily substances from any motor vehicle, the court shall, at the instance of the prosecution, in addition to the punishment under sub-article (1), suspend for a period of not less than eight days the licence relative to the motor vehicle in respect of which the offence has been committed even though such motor vehicle was not, at the time of the offence, being driven by the licensee.

56. Where any fine (*multa* or *ammenda*) is awarded by a court of criminal jurisdiction, or where a Commissioner for Justice has made an order for the payment of a penalty under the provisions of the [Commissioners for Justice Act](#), in connection with any offence under this Ordinance committed by the use of any motor vehicle, and such fine or penalty, as the case may be, has not been paid, the Authority shall withhold from renewing that motor vehicle's road licence on the expiry thereof until such time as the payment of the fine or the penalty is effected:

Non-renewal of road licence pending settlement of fine or penalty.
Added by:
XII.1995.15.
Amended by:
XXIII. 2000.30;
XXIV. 2014.82.
Cap. 291.

Provided that this article shall not apply in the event that a renewal of a licence, a change in the name of the registered owner or the transfer of the road licence in respect of that vehicle is occasioned as a result of the said vehicle being acquired by virtue of a judicial sale by auction, held under the authority of the Courts, by the original vendor of the vehicle on account of non-payment of the purchase price.

57. (1) An owner of a motor vehicle who fails to renew the licence relative to the said motor vehicle shall, without prejudice to his liability to criminal punishment under this Ordinance or under any other law, also be, and be deemed to have always been, civilly liable towards the Authority for the payment of the amount due for the relevant licence fee.

Civil liability of owner failing to renew licence.
Added by:
XXIII. 2000.30.

(2) Proceedings for the collection of any civil debt incurred by virtue of subarticle (1) shall be barred by the lapse of the period of eight years from the date due for the renewal of the relative licence.

(3) When the Authority gives any notice by means of a judicial letter that the said person is civilly liable for the payment of any amount to the Authority under this article, the said notice shall constitute an executive title for the purposes of Title VII of Part I of Book Second of the [Code of Organization and Civil Procedure](#), unless the person notified shall commence proceedings in the competent court of civil jurisdiction in order to object to the said notice within thirty days from the date of service upon him of the said notice.

Cap. 12.

(4) Any proceedings in order to object to a notice in terms of subarticle (3) shall be commenced by means of an application filed against the Authority.

(5) The said application shall give the grounds of the objection to the notice and shall contain the specific demands of the applicant with regard to the notice and shall indicate the witnesses which the applicant intends to produce in support of this claim.

(6) The application together with the date of first hearing fixed by the Court shall be notified to the Authority who may file a reply within fifteen days from the date of service of the said act, giving its reason for objecting to the demand and indicating the witnesses it wished to produce in its defence.

(7) Saving the preceding provisions of this article, the provisions of the [Code of Organization and Civil Procedure](#) relating to proceedings before the court of civil jurisdiction shall apply in relation to any application filed in terms of this article.

Cap. 12.

Cancellation of licence in certain cases.

Added by:
XLI. 1975.6.
Amended by:
XL.1977.5;
XIII. 1983.5;
XXIII. 2000.30;
L.N. 408 of 2007.

Offences against article 12.

Added by:
XLI. 1976.3.
Amended by:
XIII.1983.5.

Powers of Commissioner of Police under sec. 91 of Code of Police Laws unaffected.
Cap. 10.

Driving while under disqualification.

Added by:
LIII.1939.4.
Repealed by:
XXXVII.1949.2.
Added by:
XXVI. 1956.7.
Amended by:
XIII.1983.5;
XXIII. 2000.30;
L.N. 408 of 2007;
V. 2011.3.

58. *Repealed by: V. 2011.11.*

20. *Repealed by XXIII. 2000.30.*

21. *Repealed by XXIII. 2000.30.*

59. If any person who is disqualified for holding or obtaining a driving licence applies for or obtains a licence while he is so disqualified, or if any such person while he is so disqualified drives a motor vehicle, or, if the disqualification is limited to the driving of a motor vehicle of a particular class or description, a motor vehicle of that class or description, on a street, that person shall be liable, on conviction, to imprisonment for a term not exceeding six months, or, if the court thinks that, having regard to the special circumstances of the case, a fine would be an adequate punishment for the offence, to a fine (*multa*) not exceeding two hundred and thirty-two euro and ninety-four cents (232.94), and a licence obtained by any person disqualified as aforesaid shall be of no effect.

60. If the execution of a judgment ordering a disqualification under article 15(2) or (3) or article 18(2) or a suspension under article 18(3) is stayed in view of the declared intention of the person convicted to enter an appeal against that judgment, the period of disqualification or suspension, as the case may be, shall commence to run -

- (i) if the said judgment is confirmed or reduced by the judgment of the Court of Criminal Appeal, from the date of such judgment;
- (ii) if an application of appeal is not filed within the time established by law, from the day next following the day on which such time expires;
- (iii) if the appeal is withdrawn by note, from the day when such note is filed in the court or, if the appeal is otherwise abandoned after the filing of the application of appeal, from such day as the Court of Criminal Appeal on application of the Authority for Transport in Malta shall establish.

61. (1) Any person who merely with the intention of making temporary use thereof drives away any vehicle, whether propelled by mechanical power or by any other means, without having either the consent of the owner thereof or other lawful authority, shall, on conviction, be liable to imprisonment for a term not exceeding six months or to a fine (*multa*) not less than one hundred and sixteen euro and forty-seven cents (116.47) but not exceeding two hundred and thirty-two euro and ninety-four cents (232.94) or to both such imprisonment and fine.

(2) In this article the word "vehicle" shall include a boat, and the word "drives" shall be construed accordingly.

(3) If on proceedings under this article the court is satisfied that the accused acted in the reasonable belief, of which the onus of proof shall lie on the accused, that he had lawful authority or that the owner would, in the circumstances of the case, have given his consent if he had been asked therefor, the accused shall not be liable to be convicted of the offence.

62. (1) Notwithstanding any other law providing for the trial and punishment of offences, where any person commits any of the offences set out in the first column of the Second Schedule to this Ordinance, the following provisions of this article shall apply.

(2) Any Police officer or a community officer in whose opinion any such contravention has been committed, may hand over to the owner or driver, or affix to the windscreen, of the motor vehicle used in the commission of the contravention, a notice containing a general description of the contravention and such other information or requirements as the Minister may prescribe by regulations made under this sub-article.

(3) Where any notice has been handed over or affixed as is provided in sub-article (2), the owner or driver of the motor vehicle, as the case may be, or any other person who accepts responsibility for the contravention referred to in the said notice,

Time from which disqualification in respect of licence is to run in the case of appeal.

Added by:

II. 1972.3.

Amended by:

XXIII. 2000.30;

XV. 2009.49.

Offence of driving away without consent.

Added by:

XXVI. 1956.7.

Amended by:

II. 1972.4;

XIII. 1983.5;

XXIII. 2000.30;

L.N. 408 of 2007.

Special procedure in certain cases.

Added by:

XXXIV. 1974.2.

Amended by:

XLI. 1975.7;

XV. 1981.3;

XIII. 1983.5;

XXIII. 2000.30;

L.N. 408 of 2007;

V. 2011.3, 12.

may, within ten days of the notice, call at the place referred to in the notice, produce all such documents therein referred to and pay the fine set out in the second column of the said Schedule in respect of that contravention, or such person shall send those documents and payment of the fine by registered post or by any other means shown in that notice.

Cap. 9.

(4) Where any notice which has been handed over or affixed as is provided in sub-article (2) is not complied with or the said fine is not paid within the period referred to in sub-article (3) hereof, ordinary proceedings may be taken in accordance with the provisions of this Ordinance and of the [Criminal Code](#) in respect of the offence in question.

(5) Where any such notice is complied with and the said fine is paid within the said period, no proceedings may be taken in respect of the offence in question and the payment of such fine shall, for all intents and purposes, be deemed to be an admission of the commission of the offence.

(6) Any person who, not being the owner or driver of the motor vehicle, removes from the windscreen of any motor vehicle any notice affixed thereto in accordance with the provisions of sub-article (2) shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of forty-six euro and fifty-nine cents (46.59).

Right of appeal.
Added by:
XL.1977.6.
Amended by:
VIII. 1990.3;
XXIII. 2000.30.
Cap. 9.

63. Notwithstanding the provisions of the [Criminal Code](#), the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgment given by the Court of Magistrates in respect of proceedings arising out of the provision of this Ordinance.

Appeal from a
judgement under
article 41.
Added by:
XXII. 2005.85.

64. In the case of any judgement under article 41 an appeal may be made either by the owner or by the driver of the vehicle.

FIRST SCHEDULE

Added by:
LIII.1939.41.
Amended by:
G.N. 114 of 1940;
G.N. 578 of 1941;
XV.1946.3;
G.N. 18 of 1947.
Repealed by: XXX-
VII. 1949.2. Re-
enacted by:
XXXIV.1974.3.
Substituted by:
XLI. 1975.8;
XXXV.1977.3.
Amended by:
XL.1977.7;
XXVII.1980.3.
Substituted by:
XV. 1981.4.
Amended by:
XIII. 1983.4.
Substituted by:
L.N. 408 of 2007.

<i>First Column Offence</i>	<i>Second Column Punishment</i>
Driving motor vehicle on caterpillar tracks:	
First offence	Fine (<i>multa</i>) of not less than €232.94 but not exceeding €1,164.69
Subsequent offence	Fine (<i>multa</i>) of not less than €465.87 but not exceeding €1,164.69 and forfeiture of vehicle

SECOND SCHEDULE

First Column	Second Column
Offence	Fine (ammenda) €
Contravening no-entry sign	75
Driving at an excessive speed:	
up to 15 kilometres per hour over the limit	34.94
over 15 kilometres per hour over the limit	100
Driving of motor vehicles carrying iron nets or rods which are not so secured as to prevent damage to the surface of the road	200
Excessive smoke from exhaust pipes	46.59
Failure to renew driving licence	34.94
Failure to renew vehicle licence	69.88
Licence not affixed to windscreen	23.29
Lights not in accordance with the provisions of the law	23.29
Non-effective silencer	69.88
Non-use of tailboard, overloading or spillage along the road of material being carried	not less than 250 but not more than 500
Obstruction (including of slipways, piers and wharfs)	104.82
Hindering of the free flow of traffic in any road including all types of obstacles, such as obstructing a bus, the obstruction of a priority lane, of the safe entry and, or the exit of buses from stops (the creation of an unauthorized road or the closing of a lane, etc.)	104.82
Overloading of number of passengers exceeding the vehicle's registration certificate (for every extra passenger)	50
Parking or waiting or stopping at prohibited place	23.29
Parking outside a garage belonging to person other than the offender	104.82
Use of prohibited horn or warning device	11.65
Use of vehicles for a purpose other than licensed, including the use of private vehicles for hire or any other use	200
Driving in a lane for priority vehicles	50

Added by:
XV. 1981.4.
Substituted by:
VII. 1983.2;
XXXI. 1997.2;
L.N. 408 of 2007;
XIII. 2007.19.
Amended by:
V. 2011.13;
VII. 2010.47;
XV. 2016.45.
Substituted by:
XV.2023.4.

Holding and, or making use of a hand-held mobile device or any other similar hand-held device, whilst stationary in traffic and, or driving any motor vehicle in categories M1, N1 and also including any motor cycle and, or any e-kickscooter 200

Wearing or making use of in-ear or over-ear hands-free device or similar device in the ear which is closest to the window whilst stationary in traffic and, or driving a motor vehicle in categories M1 or N1. 200

Wearing or making use of in-ear or over-ear hands-free device or similar device in both ears whilst stationary in traffic and, or driving any motorcycle and, or e-kickscooter 200

Holding and, or making use of a hand-held mobile device or any other similar device, whilst the vehicle is stationary in traffic and, or driving an M1, M2 or M3 motor vehicle for hire and, or driving an N2 or N3 category motor vehicle or any other mechanically propelled machinery for the carriage of goods; 300

Wearing or making use of an in-ear or over-ear hands-free device or any similar device in the ear which is closest to the window whilst the vehicle is stationary in traffic and, or driving an M1, M2 or M3 motor vehicle for hire and, or driving an N2 or N3 category motor vehicle or any other mechanically-propelled machinery for the carriage of goods; 300

Wearing or making use of an in-ear or over ear hands-free device or any similar device in both ears whilst stationary in traffic and, or driving any motorcycle and, or any e-kickscooter for hire: 300"
