

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,864, 3 ta' Frar, 2012

Taqsimha B

A. L. 48 tal-2012

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

**ATT DWAR L-AWTORITÀ
GHAT-TRASPORT F'MALTA
(KAP. 499)**

**Regolamenti tal-2012 li jemendaw ir-Regolamenti dwar
il-Vetturi bil-Mutur**

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

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti tal-2012 li jemendaw ir-Regolamenti dwar il-Vetturi bil-Mutur, u għandhom jinqraw u jiftiehm u haġa waħda mar-Regolamenti tal-1994 dwar il-Vetturi bil-Mutur, hawnhekk iżjed 'il quddiem imsejha "ir-regolamenti prinċipali".

Titolu.

A.L. 128 tal-1994.

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

Jemenda r-regolament 2 tar-regolamenti prinċipali.

(a) minnufih wara t-tifsira "inġenji tal-invalidi" għandha tidhol din it-tifsira ġdida li ġejja:

“kamera li tissorvejla u li tkun tiffunzjona” tfigħer kamera li tkun imwaħħla f'vettura għall-garr tal-passiġġieri jew f'*motor route bus* u li għandha tinzamm mixgħula f'kull hin waqt li l-vettura tkun qiegħda taġti servizz u għandha tirreġistra u tittrasmetti stampi meħuda lejn karna ta' kontroll deċiża mill-Awtorità, u dawk l-istampi għandhom, iżda, ikunu aċċessibbli biss għal:

- Pulizija f'każ li tirċievi rapport jew xort'oħra ssir taf li jkun twettaq jew li seta' twettaq reat kriminali fil-vettura partikolari; u

A.L. 149 tal-2009. - l-Awtorità f'każ li tirċievi rapport jew xort'oħra ssir taf li jkun twettaq xi ksur tar-Regolamenti dwar is-Servizzi ta' Ġarr ta' Passiggieri;"; u

(b) it-tifsira "karrozza għall-kiri" għandha tithassar.

Jemenda r-regolament 68 tar-regolamenti prinċipali.

3. Fir-regolament 68 tar-regolamenti prinċipali, minflok il-kliem "*motor car* għall-kiri" għandhom jidhlu l-kliem "vettura bil-mutur għall-kiri".

Jemenda r-regolament 69 tar-regolamenti prinċipali.

4. Fir-regolament 69 tar-regolamenti prinċipali, minflok il-kliem "*motor car* tal-kiri" għandhom jidhlu l-kliem "vettura bil-mutur għall-kiri".

Jemenda r-regolament 110A tar-regolamenti prinċipali.

5. Ir-regolament 110A tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

(a) fis-subregolament (1) tiegħu, minflok il-kliem "Ebda vettura bil-mutur ma tista' tinsaq u ebda persuna ma għandha tħalli li tinsaq vettura bil-mutur fit-triq" għandhom jidhlu l-kliem "Ebda persuna ma għandha ssuq jew iġġiegħel jew tippermetti li tinsaq fit-triq vettura bil-mutur li ma tkunx vettura M2 jew M3";

(b) is-subregolamenti (2) sa (4) tiegħu għandhom jiġu enumerati mill-ġdid bħala s-subregolamenti (3) sa (5) rispettivament;

(c) minnufih wara s-subregolament (1) tiegħu għandu jidhol dan is-subregolament ġdid li ġej:

"(2) Ebda persuna ma għandha ssuq jew iġġiegħel jew tippermetti li tinsaq fit-triq vettura M2 jew M3 meta l-ħġieg ta' dik il-vettura ma jkunx jippermetti dħul ta' dawl ta' mill-inqas –

(d) 75 fil-mija fir-rigward tal-*windscreen*,

(e) 70 fil-mija fir-rigward tal-ħġieg tal-ġnub ta' quddiem, u

(f) 30 fil-mija fir-rigward tal-kumplement tal-ħġieg kollu:

Iżda meta l-vettura jkollha mwaħħla fiha kamera li tissorvelja jew aktar li jkunu jiffunzjonaw u li jkunu f'pożizzjoni li jkopru s-sedili kollha fil-vettura u fil-vettura jkun hemm sinjali li juru li fil-vettura hemm kameras li jissorveljaw, il-limiti msemmija taħt il-paragrafu (ċ) ma jkunux japplikaw.”.

6. Is-subregolament (7) tar-regolament 130 tar-regolamenti prinċipali għandu jiġi mħassar.

Jemenda r-regolament 130 tar-regolamenti prinċipali.

7. Minnufih wara r-regolament 130 tar-regolamenti prinċipali għandu jidhol dan ir-regolament ġdid li ġej:

Izid regolamenti ġdid mar-regolamenti prinċipali.

130A. (1) Ebda persuna m'għandha ssuq vettura bil-mutur għall-kiri jekk dik il-persuna ma jkollhiex tag ta' identifikazzjoni maħruġa lilha mill-Awtorità.

“L-ilbies tat-tag u l-uniformi.

(2) Xufier li jkun irid jikseb *tag* ta' identifikazzjoni taħt dan ir-regolament għandu jagħmel applikazzjoni għand l-Awtorità billi jimla l-formola preskritta.

(3) L-imsemmija *tag* tinħareġ biss mill-Awtorità lil dak ix-xufier li –

(a) ikollu l-licenza tas-sewqan adatta,

(b) fil-fehma tal-Awtorità jkollu kondotta tajba,

(ċ) jattendi b'mod regolari kors ta' taġġim approvat mill-Awtorità u jgħaddi mill-eżami fi tmien l-imsemmi kors.

(4) Sakemm ma jiġux ordnati kondizzjonijiet li jinvolvu obbligi aktar onerużi permezz ta' regolamenti oħra, għall-fini ta' dan ir-regolament, persuna ma tkunx meqjusa li hi ta' kondotta tajba jekk:

(a) tkun instabet ħatja, matul l-aħħar ħames snin, ta' reat li tista' tehel piena dwaru ta' żmien ta' prigunerija ta' tliet xhur jew aktar jew multa ta' mill-inqas erba' mija u ħamsa u sittin euro u sebgħa u tmenin ċenteżmu (€465.87),

(b) tkun instabet ħatja, matul l-aħħar sentejn, ta' reati li jkollhom x'jaqsmu mat-traffiku jew mar-regolamenti dwar it-trasport stradali.

L-applikanti għal *tag* ta' identifikazzjoni għandhom, għalhekk, jipprezentaw lill-Awtorità ċertifikat tal-kondotta tal-Pulizija.

(5) L-Awtorità tista' tirtira *tag* ta' identifikazzjoni jekk id-detentur ma jibqax jissodisfa aktar ir-rekwiżit ta' kondotta tajba.

(6) L-Awtorità tista' tissospendi *tag* ta' identifikazzjoni sakemm tingħata sentenza finali mill-Qorti fejn id-detentur jiġi akkużat b'reat kriminali li jista' jeħel piena dwaru ta' żmien ta' prigunerija ta' mhux inqas minn tliet xhur jew multa ta' mhux inqas minn erba' mija u ħamsa u sittin euro u sebgħa u tmenin ċenteżmu (€465.87).

(7) Ix-xufier ta' vettura bil-mutur għall-kiri għandu, waqt li jkun fuq xogħol, jilbes it-*tag* f'post li tidher sew fuq is-sider.

(8) Ebda xufier ma jista' juża *tag* ħlief dik lilu mogħtija mill-Awtorità u dik it-*tag* ma tistax tingħadda minn xufier għall-ieħor.

(9) Xufier ta' vettura bil-mutur għall-kiri għandu jilbes, waqt li jkun fuq xogħol, l-uniformi li jkollha disinn u kulur li jiġu approvati mill-Awtorità.”.

L. N. 48 of 2012

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

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

Motor Vehicles (Amendment) Regulations, 2012

IN exercise of the powers conferred by article 54 of the Traffic Regulation Ordinance and by article 43 of the Authority for Transport in Malta Act, the Minister for Infrastructure, Transport and Communications has, after consultation with the Authority for Transport in Malta, made the following regulations:

1. The title of these regulations is the Motor Vehicles (Amendment) Regulations, 2012 and they shall be read and construed as one with the Motor Vehicles Regulations, 1994, hereinafter referred to as “the principal regulations”.

Title.

L.N. 128 of 1994.

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

Amends regulation 2 of the principal regulations.

(a) the definition “car for hire” shall be deleted; and

(b) immediately after the definition “stop light” there shall be inserted the following new definition:

“ “surveillance camera” means a camera fixed inside a passenger transport vehicle or a motor route bus which shall be kept switched on at all times while the vehicle is on duty and shall record and transmit the images captured to a control room designated by the Authority, which images shall, however, only be accessible to:

- the Police in the event that they receive a report or otherwise become aware that a criminal offence has been committed or may have been committed in the particular vehicle; and

L.N. 149 of 2009.

- the Authority in the event that it receives a report or otherwise becomes aware that an infringement of the Passenger Transport Services Regulations has been committed;”.

Amends regulation 68 of the principal regulations.

3. In regulation 68 of the principal regulations, for the words “motor-car for hire” there shall be substituted the words “motor vehicle for hire”.

Amends regulation 69 of the principal regulations.

4. In regulation 69 of the principal regulations, for the words “motor car for hire” there shall be substituted the words “motor vehicle for hire”.

Amends regulation 110A of the principal regulations.

5. Regulation 110A of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, for the words “No motor vehicle shall be driven or no person shall allow a motor vehicle to be driven on the road where the glazings of that vehicle” there shall be substituted the words “No person shall drive, or cause or permit to be driven on a road a motor vehicle, other than an M2 or an M3 vehicle, the glazings of which;”;

(b) sub-regulations (2) to (4) thereof shall be renumbered as sub-regulations (3) to (5) respectively;

(c) immediately after sub-regulation (1) thereof there shall be inserted the following new sub-regulation:

“(2) No person shall drive, or cause or permit to be driven on a road an M2 or M3 vehicle where the glazings of that vehicle do not allow a visible light transmission of at least –

(a) 75 per cent in the case of the windscreen,

(b) 70 per cent in the case of the front side windows, and

(c) 30 per cent in the case of all remaining windows:

Provided that where the vehicle is fitted with

one or more functional surveillance cameras which are positioned so as to capture the entire seating area of the vehicle and in the vehicle there are signs showing there are surveillance cameras in the vehicle, the limits provided for under paragraph (c) shall not apply.”.

6. Sub-regulation (7) of regulation 130 of the principal regulations shall be deleted. Amends regulation 130 of the principal regulations.

7. Immediately after regulation 130 of the principal regulations there shall be inserted the following new regulation: Adds new regulation to the principal regulations.

130A. (1) No person shall drive a motor vehicle for hire unless that person is in possession of the identification tag issued to him by the Authority. “Wearing of tag and uniform.

(2) A driver who wishes to be granted an identification tag under this regulation shall submit an application to the Authority on the prescribed form.

(3) The said tag shall only be issued by the Authority to that driver who -

(a) is in possession of the appropriate driving licence,

(b) in the opinion of the Authority is of good repute,

(c) attends regularly a course of instruction approved by the Authority and successfully undergoes an examination at the end of the said course.

(4) Unless more onerous conditions are prescribed by other regulations, for the purpose of this regulation, a person is not considered to be of good repute if he:

(a) has been convicted, during the previous five years, of a crime liable to a term of imprisonment of three months or more or a fine of at least four hundred and sixty-five euros and eighty-seven cents (€465.87),

(b) has been convicted, during the previous two years, of offences against traffic or road transport regulations.

Applicants for an identification tag shall thus submit to the Authority a Police conduct certificate.

(5) The Authority may withdraw an identification tag where the holder no longer satisfies the good repute requirement.

(6) The Authority may suspend an identification tag until a final judgement is given where the holder is charged in Court with a criminal offence which is liable to a term of imprisonment of not less than three months or a fine of not less than four hundred and sixty-five euros and eighty-seven cents (€465.87).

(7) The driver of a motor vehicle for hire shall, while carrying passengers, wear the tag in a conspicuous place on the chest in a manner that it may be easily seen.

(8) No driver shall make use of a tag other than that issued to him by the Authority and such tag shall not be transferable from one driver to another.

(9) The driver of a motor vehicle for hire shall, whilst on duty, wear a uniform of the pattern and colour as approved by the Authority.”

