

L.N. 74 of 2024

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

**Motor Vehicle Roadworthiness Test (Amendment) Regulations,
2024**

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

Citation and scope.

S.L. 65.15.

1. (1) The title of these regulations is the Motor Vehicle Roadworthiness Test (Amendment) Regulations, 2024 and these regulations shall be read and construed as one with the Motor Vehicle Roadworthiness Test Regulations, hereinafter referred to as the "principal regulations";

(2) The scope of these regulations is to further transpose the provisions of the following European Union Directives:

(a) Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC; and

(b) Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC.

Amends regulation 2 of the principal regulations.

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

(a) the definition "VRT certificate" thereof shall be substituted by the following new definition:

"VRT certificate" or "roadworthiness certificate" means a roadworthiness test report issued by a tester, or a vehicle testing inspector, containing the result of the roadworthiness test.";

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

""Regulation (EC) No 1071/2009" means Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC"; and

(c) immediately after the definition "undertaking" thereof there shall be added the following new definition:

""vehicle registered in a Member State" means a vehicle which is registered or put into service in a Member State;"

3. Regulation 19 of the principal regulations shall be amended as follows:

Amends regulation 19 of the principal regulations.

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

"(2) Every positive test result and every notice of a negative test result shall be issued in the form of a VRT certificate indicating at least the standardised elements of the corresponding harmonised Union codes as stipulated in the Fifteenth Schedule.";

(b) immediately after sub-regulation (3) thereof there shall be added the following new sub-regulation:

"(3a) The results of a roadworthiness test may only be modified, where appropriate, by the Authority, if, following an investigation conducted by the same Authority, it results that the findings of the roadworthiness test are manifestly incorrect.";

(c) sub-regulation (4) thereof shall be amended as follows:

(i) in paragraph (a) thereof the words "verification carried out on a vehicle" shall be substituted by the words "VRT certificate issued"; and

(ii) immediately after paragraph (c) thereof there

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shall be added the following new paragraph:

Cap. 586. "(d) The Authority shall retain the required information in paragraph (a) in accordance with the applicable provisions of the Data Protection Act for a period of not less than thirty six (36) months from the date when such information is received."

Amends regulation 38 of the principal regulations.

4. In sub-regulation (2) of regulation 38 of the principal regulations, the words "Article 18(1) of Directive 2014/47/EU" shall be substituted by the words "regulation 52(1)".

Amends regulation 40 of the principal regulations.

5. Immediately after sub-regulation (6) of regulation 40 of the principal regulations there shall be added the following new sub-regulation:

"(7) The compensation of inspecting officers shall not be directly related to the results of initial or more detailed technical roadside inspections."

Amends regulation 46 of the principal regulations.

6. In sub-regulation (2) of regulation 46 of the principal regulations the words "Article 17 of Directive 2014/47/EU" shall be substituted by the words "regulation 51", and the words "Article 18(2) of the same Directive" shall be substituted by the words "regulation 52(2)".

Amends regulation 49 of the principal regulations.

7. In sub-regulation (2) of regulation 49 of the principal regulations the words "Annex IV of Directive 2014/47/EU" shall be substituted by the words "the Sixteenth Schedule".

Adds new regulations to the principal regulations.

8. Immediately after regulation 50 of the principal regulations there shall be added the following new regulations:

"Designation of contact point.

51. The Authority shall be the designated contact point which shall:

(a) ensure coordination with contact points designated by other Member States as regards actions taken in accordance with regulation 52;

(b) forward the data referred to in regulation 53 to the European Commission; and

(c) ensure, where appropriate, any other exchange of information with contact points of other Member States and the provision of assistance to the contact points of other Member States.

Cooperation
between Member
States.

52. (1) In cases where major or dangerous deficiencies, or deficiencies resulting in a restriction or prohibition on the use of the vehicle are found, in a vehicle not registered in Malta, the Authority shall notify the results of the inspection to the contact point of the Member State of registration of the vehicle. Such notification shall contain the elements of the roadside inspection report as stipulated in the Sixteenth Schedule and shall be communicated through the national electronic register referred to in Article 16 of Regulation (EC) No 1071/2009.

(2) In cases where major or dangerous deficiencies are found in a vehicle that has been inspected, but which is not registered in Malta, the Authority may request the competent authority of the Member State in which the vehicle is registered, through the contact point of that Member State, to take appropriate follow-up action, such as submitting the vehicle to a further roadworthiness test as provided for in regulation 46.

Communication of
information to the
European
Commission.

53. (1) Before 31st March 2021 and before 31st March every two years thereafter, the Authority shall communicate to the European Commission, by electronic means, the data collected relating to the previous two calendar years and concerning the vehicles inspected in Malta. Such data shall indicate:

- (a) the number of vehicles inspected;
- (b) the category of vehicles inspected;
- (c) the country of registration of each vehicle inspected;
- (d) in the case of more detailed inspections, the parts verified and the items failed in accordance with item 10 of the Sixteenth Schedule.

(2) The first report shall cover the period of two years beginning on 1 January 2019.

(3) The data referred to in sub-regulation (1) shall be communicated by electronic means in accordance with rules which shall be established by the European Commission concerning the format in which such data shall be communicated. Until the establishment of the said rules, the standard reporting form stipulated in the Seventeenth Schedule shall be used."

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Adds new Schedules to the principal regulations.

9. Immediately after the Fourteenth Schedule of the principal regulations there shall be added the following new Schedules:

"FIFTEENTH SCHEDULE
(regulation 19)

Minimum Contents of a Roadworthiness Certificate

The roadworthiness certificate issued following a roadworthiness test shall cover at least the following elements preceded by the corresponding harmonised Union codes:

- (1) Vehicle Identification Number (VIN number or chassis number);
- (2) Registration plate number of the vehicle and country symbol of the State of registration;
- (3) Place and date of the test;
- (4) Odometer reading at the time of the test, if available;
- (5) Vehicle category, if available;
- (6) Identified deficiencies and their level of severity;
- (7) Result of the roadworthiness test;
- (8) Date of the next roadworthiness test or date of expiry of the current certificate, if this information is not provided by other means. In the case of Malta, this information shall be provided in accordance with regulation 19A;
- (9) Name of testing organisation or centre and signature or identification of the inspector responsible for the test;
- (10) Other information.

SIXTEENTH SCHEDULE
(regulation 49, 52 and 53)

(front side)

SPECIMEN MORE DETAILED TECHNICAL ROADSIDE INSPECTION REPORT INCORPORATING A CHECK-LIST

1. Place of technical roadside inspection
2. Date
3. Time
4. Vehicle nationality mark and registration number
5. Vehicle identification/VIN number
6. Category of vehicle
 - (a) N₂^(a) (3,5 to 12 t)
 - (b) N₃^(a) (more than 12 t)
 - (c) O₃^(a) (3,5 to 12 t)
 - (d) O₄^(a) (more than 10 t)
 - (e) M₂^(a) (> 9 seats^(b) to 5 t)
 - (f) M₃^(a) (> 9 seats^(b) more than 5 t)
 - (1) (g) T1b;
 - (h) T2b;
 - (2) (i) T3b;
 - (j) T4.1b;
 - (k) T4.2b;
 - (l) T4.3b;
 - (m) Other vehicle category:
(please specify)
7. Odometer reading at the time of inspection
8. Undertaking carrying out transport
 - (a) Name and address
 -
 - (b) Number of the Community licence^(c) (Regulations (EC) No 1072/2009 and (EC) No 1073/2009)
9. Driver name

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10. Checklist

	Checked ^(d)	Failed ^(e)
(0) Identification ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(1) Braking equipment ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(2) Steering ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(3) Visibility ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(4) Lighting equipment and electrical system ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(5) Axles, wheels, tyres, suspension ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(6) Chassis and chassis attachments ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(7) Other equipment incl. tachograph and speed limitation device ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(8) Nuisance incl. emissions and spillage of fuel and/or oil ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(9) Supplementary tests for category M ₂ and M ₃ vehicles ^(f)	<input type="checkbox"/>	<input type="checkbox"/>
(10) Cargo securing ^(f)	<input type="checkbox"/>	<input type="checkbox"/>

11. Result of inspection:

- Passed
- Failed
- Prohibition or restriction on using the vehicle, which has dangerous deficiencies

12. Miscellaneous/remarks:

13. Authority/officer or inspector having carried out the inspection

Signature of:

Competent authority/officer or inspector	Driver
.....

Notes:

- (a) Vehicle category in accordance with Article 2 to Directive 2014/47/EU.
- (b) Number of seats including the driver's seat (item S.1 of registration certificate).
- (c) If available.
- (d) 'checked' means that at least one or more of the inspection items of this group, as listed in Annex II or III to Directive 2014/47/EU, have been checked and minor or no deficiencies have been found.
- (e) Failed items with major or dangerous deficiencies indicated on the rear side.
- (f) Methods for testing and assessment of defects in accordance with Annex II or III to Directive 2014/47/EU.

(reverse side)

0.	IDENTIFICATION OF THE VEHICLE	1.1.17. Load sensing valve	2.2. Steering wheel, column and handle bar	4.4.2. Switching
0.1.	Registration number plates	1.1.18. Slack adjusters and indicators	2.2.1. Steering wheel condition	4.4.3. Compliance with requirements
0.2.	Vehicle identification/chassis/serial number	1.1.19. Endurance braking system (where fitted or required)	2.2.2. Steering column and steering dampers	4.4.4. Flashing frequency
1.	BRAKING EQUIPMENT	1.1.20. Automatic operation of trailer brakes	2.3. Steering play	4.5. Front and rear fog lamps
1.1.	Mechanical condition and operation	1.1.21. Complete braking system	2.4. Wheel alignment	4.5.1. Condition and operation
1.1.1.	Service brake pedal pivot	1.1.22. Test connections	2.5. Trailer steered axle turntable	4.5.2. Alignment
1.1.2.	Pedal condition and travel of brake operating device	1.1.23. Overrun brake	2.6. Electronic Power Steering (EPS)	4.5.3. Switching
1.1.3.	Vacuum pump or compressor and reservoirs	1.2. Service braking performance and efficiency	3. VISIBILITY	4.5.4. Compliance with requirements
1.1.4.	Low pressure warning gauge or indicator	1.2.1. Performance	3.1. Field of vision	4.6. Reversing lamps
1.1.5.	Hand-operated brake control valve	1.2.2. Efficiency	3.2. Condition of glass	4.6.1. Condition and operation
1.1.6.	Parking brake activator, lever control, parking brake ratchet, electronic parking brake	1.3. Secondary (emergency) braking performance and efficiency	3.3. Rear-view mirrors	4.6.2. Compliance with requirements
1.1.7.	Braking valves (foot valves, un-loaders, governors)	1.3.1. Performance	3.4. Windscreen wipers	4.6.3. Switching
1.1.8.	Couplings for trailer brakes (electrical and pneumatic)	1.3.2. Efficiency	3.5. Windscreen washers	4.7. Rear registration plate lamp
1.1.9.	Energy storage reservoir pressure tank	1.4. Parking braking performance and efficiency	3.6. Demisting system	4.7.1. Condition and operation
1.1.10.	Brake servo units, master cylinder (hydraulic systems)	1.4.1. Performance	4. LAMPS, REFLECTORS, ELECTRICAL EQUIPMENT	4.7.2. Compliance with requirements
1.1.11.	Rigid brake pipes	1.4.2. Efficiency	4.1. Headlamps	4.8. Retro-reflectors, conspicuity markings and rear marking plates
1.1.12.	Flexible brake hoses	1.5. Endurance braking system performance	4.1.1. Condition and operation	4.8.1. Condition
1.1.13.	Brake linings and pads	1.6. Anti-lock braking system	4.1.2. Alignment	4.8.2. Compliance with requirements
1.1.14.	Brake drums, brake discs	1.7. Electronic brake system (EBS)	4.1.3. Switching	4.9. Tail-lights mandatory for lighting equipment
1.1.15.	Brake cables, rods, levers, linkages	1.8. Brake fluid	4.1.4. Compliance with requirements	4.9.1. Condition and operation
1.1.16.	Brake actuators (incl. spring brakes or hydraulic cylinders)	2. STEERING	4.1.5. Levelling devices	4.9.2. Compliance with requirements
		2.1. Mechanical condition	4.1.6. Headlamp cleaning device	4.10. Electrical connections between towing vehicle and trailer or semi-trailer
		2.1.1. Steering gear condition	4.2. Front and rear position lamps, side marker lamps, end outline marker lamps and daytime running lamps	4.11. Electrical wiring
		2.1.2. Steering gear casing attachment	4.2.1. Condition and operation	4.12. Non-obligatory lamps and reflectors
		2.1.3. Steering linkage condition	4.2.2. Switching	4.13. Battery
		2.1.4. Steering linkage operation	4.2.3. Compliance with requirements	
		2.1.5. Power steering	4.3. Stop lamps	
			4.3.1. Condition and operation	
			4.3.2. Switching	
			4.3.3. Compliance with requirements	
			4.4. Direction indicator and hazard warning lamps	
			4.4.1. Condition and operation	

5.	AXLES, WHEELS, TYRES AND SUSPENSION	6.1.7. Transmission	7.5. First aid kit.	9.1. Doors
5.1.	Axles	6.1.8. Engine mountings	7.6. Wheel chocks (wedges)	9.1.1. Entrance and exit doors
5.1.1.	Axles	6.1.9. Engine performance	7.7. Audible warning device	9.1.2. Emergency exits
5.1.2.	Stub axles	6.2. Cab and bodywork	7.8. Speedometer	9.2. Demisting and defrosting systems
5.1.3.	Wheel bearings	6.2.1. Condition	7.9. Tachograph	9.3. Ventilation and heating systems
5.2.	Wheels and tyres	6.2.2. Mounting	7.10. Speed limitation device	9.4. Seats
5.2.1.	Road wheel hub	6.2.3. Doors and door catches	7.11. Odometer	9.4.1. Passenger seats
5.2.2.	Wheels	6.2.4. Floor	7.12. Electronic Stability Control (ESC)	9.4.2. Driver's seat
5.2.3.	Tyres	6.2.5. Driver's seat	8. NUISANCE	9.5. Interior lighting and destination device
5.3.	Suspension system	6.2.6. Other seats	8.1. Noise suppression system	9.6. Gangways, standing areas
5.3.1.	Springs and stabiliser	6.2.7. Driving controls	8.2. Exhaust emissions	9.7. Stairs and steps
5.3.2.	Shock absorbers	6.2.8. Cab steps	8.2.1. Positive ignition engine emissions	9.8. Passenger communication system
5.3.3.	Torque tubes, radius arms, wishbones and susp. arms	6.2.9. Other interior and exterior fittings and equipment	8.2.1.1. Exhaust emission control equipment	9.9. Notices
5.3.4.	Suspension joints	6.2.10. Mudguards (wings), spray suppression devices	8.2.1.2. Gaseous emissions	9.10. Requirements regarding the transportation of children
5.3.5.	Air suspension	7. OTHER EQUIPMENT	8.2.2. Compression ignition engine emissions	9.10.1. Doors
6.	CHASSIS AND CHASSIS ATTACHMENTS	7.1. Safety-belts/buckles and restraint systems	8.2.2.1. Exhaust emission control equipment	9.10.2. Signalling and special equipment
6.1.	Chassis or frame and attachments	7.1.1. Security of safety-belts/buckles mounting	8.2.2.2. Opacity	9.11. Requirements regarding the transportation of persons with reduced mobility
6.1.1.	General condition	7.1.2. Condition of safety-belts/buckles	8.4. Other items related to the environment	9.11.1. Doors, ramps and lifts
6.1.2.	Exhaust pipes and silencers	7.1.3. Safety belt load-limiter	8.4.1. Fluid leaks	9.11.2. Wheelchair restraint system
6.1.3.	Fuel tank and pipes (incl. heating fuel tank and pipes)	7.1.4. Safety belt pre-tensioners	9. SUPPLEMENTARY TESTS FOR PASSENGER, CARRYING VEHICLES OF CATEGORIES M₂; M₃	9.11.3. Signalling and special equipment
6.1.4.	Bumpers, lateral protection and rear under-run devices	7.1.5. Airbag		
6.1.5.	Spare wheel carrier	7.1.6. SRS Systems		
6.1.6.	Mechanical coupling and towing device	7.2. Fire extinguisher		
		7.3. Locks and anti-theft device		
		7.4. Warning triangle		

SEVENTEENTH SCHEDULE
(regulation 53)

Standard Form for Reporting to the European Commission

The standard form shall be drawn up in a computer-processable format and transmitted by electronic means using standard office software. Malta shall produce:

- one single summary table; and
- for each country of registration of vehicles examined in a more detailed inspection, a separate detailed table containing information on checked and detected deficiencies for each vehicle category.

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Vehicle Category: Country of registration	N ₂		N ₁		M ₂		M ₁		O ₁		O ₄		T5		Other categories (optional)		Total		
	Number of vehicles checked	Number of vehicles failed (%)	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	
Belarus																			
Bosnia and Herzegovina																			
Georgia																			
Kazakhstan																			
Liechtenstein																			
Monaco																			
Montenegro																			
Norway																			
Republic of Moldova																			
Russian Federation																			
San Marino																			
Serbia																			
Switzerland																			
Tajikistan																			
Turkey																			Turkey
Turkmenistan																			
Ukraine																			
Uzbekistan																			
The former Yugoslav Republic of Macedonia																			
Other third countries (please specify)																			

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