



LINJI TA' GWIDA

Avviż Legali 111 tal-2023: Regolamenti tal-2023 li jemendaw ir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi

1. Introduzzjoni, skopijiet u għan tar-Regolamenti

Permezz tar-Regolamenti tal-2023 li jemendaw ir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi (hawn aktar 'il quddiem imsejha "[A.L. 111 tal-2023](#)"), l-Awtorità għat-Trasport f'Malta (hawn aktar 'il quddiem imsejha "Transport Malta") emendat ir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi (hawn aktar 'il quddiem imsejha r-"regolamenti prinċipali"). L-A.L. 111 tal-2023 gie ppubblikat fil-Gazzetta tal-Gvern fit-23 ta' Mejju 2023.

L-għan tal-A.L. 111 tal-2023 huwa li jkompli jsaħħaħ servizz ta' ġarr ta' passiġġieri b'vetturi żgħar sikur u soċjalment responsabbli billi jiġu żgurati kundizzjonijiet tax-xogħol adegwati għax-xufiera, minn naħa waħda, u s-sostenibbiltà tas-servizzi ta' ġarr ta' passiġġieri b'vetturi żgħar f'ambjent kompetittiv u ġust, min-naħa l-oħra. Tali regolamenti speċifiċi għas-settur kienu meħtieġa fid-dawl tan-natura li qed tevolve tas-servizzi ta' ġarr ta' passiġġieri b'vetturi żgħar, miġjuba minn avvanzi teknoloġiċi fis-settur u wkoll biex jiġu implimentati linji gwida tal-Kummissjoni tal-UE f'dan ir-rigward, u biex tiġi żgurata ċ-ċarezza u l-konformità tar-regoli għall-operatori u s-sewwieqa involuti fil-provvista ta' servizzi ta' ġarr ta' passiġġieri b'vetturi żgħar.

2. L-Udjenza fil-mira.

L-A.L. 111 tal-2023 huwa mmirat lejn il-gruppi li ġejjin:

- (a) Operatori ta' servizzi ta' ġarr ta' passiġġieri b'vetturi żgħar (operatori), li għandhom liċenzja ta' operatur maħruġa minn Transport Malta biex jipprovdu servizzi ta' ġarr ta' passiġġieri b'kiri jew b'kumpens b'vetturi żgħar għall-ġarr ta' passiġġieri (LPTVs), li jistgħu jgħorru sa tmien (8) passiġġieri, minbarra x-xufier, u li jkollhom marki tar-registrazzjoni li tinkludi ittra segwita bl-ittri "GY" jew "LY" u tliet numri;



- (b) Xufiera ta' vetturi żgħar għall-ġarr ta' passiġġieri (xufiera), li għandhom permess ta' xufier maħruġ minn Transport Malta biex isuqu LPTVs bil-għan li jgħorru passiġġieri; u
- (c) Pjattaformi intermedjarji ta' servizz ta' prenotazzjoni, li huma pjattaformi li permezz tagħhom ikunu jistgħu jiġu prenotati servizzi ta' ġarr ta' passiġġieri b'vetturi żgħar permezz ta' intermedjarji li jkunu ġew awtorizzati għal dan l-iskop minn Transport Malta.

3. Applikabbiltà tar-Regolamenti

Skont ir-regolamenti prinċipali qabel dawn ġew emendati bl-A.L. 111 tal-2023, l-operaturi kienu obbligati jiżguraw li l-LPTVs tagħhom jergġu lura fil-garaxx tagħhom waqt li dawn ma kinux qed jintużaw, jiġifieri, filwaqt li ma kinux prenotati biex iwettqu servizz ta' ġarr ta' passiġġieri. Dan kien ifisser ukoll li x-xufiera ta' LPTVs li kienu fuq ix-xift tax-xogħol tagħhom iżda li ma kinux qed iwettqu servizz prenotat ma setgħux jipparjaw il-vetturi tagħhom fit-triq għal ebda raġuni jew tul ta' ħin.

Permezz tal-A.L. 111 tal-2023, ix-xufiera tal-LPTVs issa qed jithallew jipparjaw il-vetturi tagħhom fit-triq skont il-liġi bejn prenotazzjoni u oħra mingħajr il-ħtieġa li jirritornaw fil-garaxx tagħhom, iżda biss taħt ċerti kundizzjonijiet u soġġetti għal ċerti limitazzjonijiet. Pjattaformi intermedjarji ta' servizz ta' prenotazzjoni u operaturi jistgħu wkoll ikunu mitluba minn Transport Malta sabiex jieħdu miżuri biex jiżguraw li l-kundizzjonijiet tal-parkeġġ fit-triq għall-LPTVs jiġu rispettati mix-xufiera tagħhom.

Filwaqt li l-operaturi għandhom jibqgħu responsabbli biex jiżguraw li l-LPTVs kollha li huma rreġistrati taħt il-liċenzja tal-operatur tagħhom ikunu garaxxjati jew ipparkjati mhux fit-triq waqt li dawn ma jkunux qed jintużaw, l-A.L. 111 tal-2023 introduċa miżuri li għandhom l-għan li jinfurzaw aħjar dan l-obbligu.

Ir-rekwiżiti l-ġodda għandhom jidhlu fis-seħħ xahrejn (2) wara d-data tal-pubblikazzjoni tal-A.L. 111 tal-2023, jiġifieri fit-23 ta' Lulju 2023.



4. Konformità mar-regolamenti

L-A.L. 111 tal-2023 introduċa r-rekwiżiti ġodda li ġejjin:

- (a) Mal-applikazzjoni u t-tiġdid ta' liċenzja ta' operatur, l-operaturi huma meħtieġa jissottomettu rapport maħruġ u ffirmat minn perit bil-warrant, li jikkonferma li għandhom biżżejjed spazju għall-parkeġġ privat fil-garaxx u, jew spazju privat għall-parkeġġ mhux fit-triq għall-użu esklussiv tagħhom fejn għandhom jipparkjaw il-vetturi tagħhom waqt li dawn ma jkunux qed jintużaw. Dan ir-rapport għandu jinkludi l-informazzjoni li ġejja:
- (i) l-indirizzi tal-postijiet u l-pjanti tas-sit ta' kwalunkwe spazji ta' parkeġġ privati għall-użu esklussiv tal-operatur, li jistgħu jkunu jinsabu f'garaxx u, jew f'xi żoni privati ta' parkeġġ mhux fit-triq,
- (ii) in-numru totali ta' spazji tal-vetturi disponibbli għall-użu esklussiv tal-operatur, u
- (iii) konferma li dawn l-ispażji huma biżżejjed biex jipparkjaw l-LPTVs kollha li huma reġistrati taħt il-liċenzja tal-operatur.

Ir-rekwiżit għall-operaturi li jissottomettu r-rapport imsemmi hawn fuq huwa b'żieda mar-rekwiżiti l-oħra diġà eżistenti biex issir applikazzjoni għal, u biex tiġġedded liċenzja ta' operatur, inkluż ir-rekwiżit eżistenti li l-operaturi jiddikjaraw fl-applikazzjoni tagħhom li għandhom biżżejjed spazju ta' parkeġġ privat f'garaxx u, jew mhux fit-triq biex jakkomodaw il-vetturi kollha tagħhom waqt li dawn ma jkunux qed jintużaw.

- (b) Ix-xufiera li jużaw LPTVs matul il-ħin tax-xogħol jew ix-xift tagħhom, iżda li mhumiex prenotati jew li huma disponibbli biex jiġu prenotati biex jipprovdu servizz ta' ġarr ta' passiġġieri, mhumiex meħtieġa li jirritornaw fil-garaxx tagħhom u qegħdin jithallew iħallu l-vetturi tagħhom ipparkjati fit-triq skont il-liġi bil-kundizzjonijiet u l-limitazzjonijiet li ġejjin:
- (i) għal ħin limitat li ma jaqbiżx sittin (60) minuta, diment li x-xufier tal-vettura jesebixxi diska tal-parkeġġ fuq il-wiċċ tad-dashboard b'mod ċar u viżibbli min-naħa ta' barra tal-windscreen



u x-xufier għandu jirregola d-diska tal-parkeġġ sabiex turi kemm jista' jkun b'mod korrett il-ħin li fih ikun ħalla l-vettura pparkjata; u

(ii) f'distanza ta' linja dritta ta' mhux inqas minn mitejn u ħamsin (250) metru minn vened ta' taxi li jinsabu fil-postijiet li ġejjin:

- fis-siti kollha tal-irmigġ tal-vapuri tal-passiġġieri,
- fl-Ajruport Internazzjonali ta' Malta, u
- fi Vjal ir-Re Dwardu VII fil-Furjana; u

f'distanza ta' linja dritta ta' mhux inqas minn mitt (100) metru minn kull venda ta' taxi oħra; u, jew

(iii) f'distanza ta' linja dritta ta' mhux inqas minn ħmistax-il (15) metru minn kwalunkwe bus stop.

Ir-restrizzjonijiet ta' ħin u distanza msemmija hawn fuq ma japplikawx waqt li x-xufier ikun qiegħed itella' passiġġieri fil-vettura jew qiegħed inizzel passiġġieri mill-vettura.

(c) LPTVs li huma pparkjati fit-triq skont il-liġi bix-xufier fihom mhumiex marbuta bir-restrizzjoni tal-ħin iżda xorta jridu josservaw ir-restrizzjonijiet tad-distanza minn vened ta' taxi u bus stops. Dan ifisser li m'hemm l-ebda limitu ta' ħin biex LPTV tiġi pparkjata fit-triq skont il-liġi, sakemm ix-xufier ikun u jibqa' fil-vettura u l-vettura tkun ipparkjata barra mid-distanzi pprojbiti minn vened ta' taxi u bus stops.

(d) Bil-għan li tiġi żgurata konformità mar-rekwiżit tad-distanza, Transport Malta għandha d-dritt li titlob lill-operaturi ta' LPTVs u pjattaformi intermedjarji ta' servizzi ta' prenotazzjoni biex jieħdu l-miżuri meħtieġa, bħall-applikazzjoni tat-teknoloġija tal-geofencing, sabiex ma jikkomunikaw ebda talba ta' prenotazzjoni lix-xufiera li jkunu jinsabu bil-vetturi tagħhom fid-distanzi pprojbiti minn vened ta' taxi u bus stops.

(e) Qed tiddaħħal penali amministrattiva ta' €500 għal operaturi li jonqsu milli jieħdu miżuri, meta mitluba minn Transport Malta, biex ma jikkomunikaw ebda talba ta' prenotazzjoni lix-xufiera li jinsabu bil-vetturi tagħhom fid-distanzi pprojbiti minn vened ta' taxi u bus stops. Din il-penali amministrattiva hija minbarra l-penali amministrattiva attwali ta' €500 għal operaturi li jinstabu



li jkunu kisru r-regola tal-iggaraxxjar tal-vetturi tagħhom. Qed tiddaħħal ukoll penali amministrattiva ta' €500 għax-xufiera li jinstabu li jkunu kisru r-restrizzjonijiet tal-ħin tal-parkeġġ u/jew tad-distanza waqt li jkunu qed jużaw il-vettura.

- (f) Transport Malta mhux ser tirreġistra jew tilliċenzja l-ebda LPTV addizzjonali taħt liċenzja ta' operatur matul il-perjodu ta' validità tagħha jekk jirrizultalha li n-numru ta' spazji ta' parkeġġ disponibbli ddikjarat fir-rapport tal-perit imsemmi hawn fuq jinqabeż. Madankollu, jekk jinqala' tali każ, l-operatur għandu d-dritt li jissottometti rapport tal-perit aġġornat li jinkludi kwalunkwe spazju ta' parkeġġ privat addizzjonali li jista' jkun disponibbli għall-użu esklussiv tiegħu.

5. X'inhu mistenni minn Transport Malta?

Minbarra d-dispożizzjonijiet il-godda spjegati fis-sezzjoni preċedenti, Transport Malta hija responsabbli li twettaq spezzjonijiet u dmirijiet amministrattivi oħra biex tiżgura l-konformità mar-rekwiżiti l-godda.

6. Komunikazzjoni ma' Transport Malta

Għal aktar informazzjoni jew kjarifiki fuq l-implimentazzjoni ta' dawn ir-regolamenti, jekk jogħġbok irreferi l-mistoqsijiet lil Transport Malta permezz ta' email fuq l-indirizz elettroniku info.tm@transport.gov.mt

N.B. Dan id-dokument ta' Linja Gwida mhuwiex maħsub biex ikun deskrizzjoni eżawrjenti tal-istrument legali u lanqas sostitut tiegħu jew suppliment legiżlattiv għall-istess. Dan id-dokument mhuwiex intiż bħala deċiżjoni awtorevoli fuq l-interpretazzjoni tal-legiżlazzjoni.



User Guidelines

Legal Notice 111 of 2023: Light Passenger Transport Services and Vehicle Hire Services (Amendment) Regulations, 2023

1. Introduction, objectives and purpose of the Regulations

By means of the Light Passenger Transport Services and Vehicle Hire Services (Amendment) Regulations, 2023 (hereinafter referred-to as "[L.N. 111 of 2023](#)"), the Authority for Transport in Malta (hereinafter referred-to as "Transport Malta") amended the Light Passenger Transport Services and Vehicle Hire Services Regulations (hereinafter referred-to as the "principal regulations"). L.N. 111 of 2023 was published in the Government Gazette on the 23rd of May 2023.

The purpose of L.N. 111 of 2023 is to further enhance a safe and socially responsible light passenger transport service by ensuring adequate working conditions for drivers, on the one hand, and the sustainability of light passenger transport services within a fair and competitive environment, on the other. Such sector-specific regulations were necessary in view of the evolving nature of light passenger transport services, brought about by technological advancements in the sector and also to implement EU Commission guidelines in this respect, and to ensure clarity and compliance of rules for operators and drivers involved in the provision of light passenger transport services.

2. Target Audience

L.N. 111 of 2023 is targeted to the following groups:

- (a) Light passenger transport service operators (operators), who hold an operator's licence issued by Transport Malta to provide passenger transport services for hire or reward with light passenger transport vehicles (LPTVs) that can carry up to eight (8) passengers, excluding the driver, and having registration marks that include a letter followed by the letters "GY" or "LY" and three numbers;
- (b) Light passenger transport drivers (drivers), who hold a driver's permit issued by Transport Malta to drive LPTVs for the purpose of conveyancing passengers; and



(c) Intermediary booking service platforms, which are digital platforms whereby light passenger transport services may be booked by customers from operators through an intermediary holding an authorisation from Transport Malta for such purpose.

3. Applicability of the Regulations

According to the principal regulations before these were amended by L.N. 111 of 2023, operators were obliged to ensure that their LPTVs return to their garage while these were not in use, i.e., while not being booked to carry out a passenger transport service. This also meant that drivers of LPTVs that were on their working shift but not carrying out a pre-booked service could not park their vehicles on the road for any reason or duration.

By means of L.N. 111 of 2023, drivers of LPTVs are now being allowed to park their vehicles legally on the road in between bookings without the need to return to their garage, but only under certain conditions and subject to certain limitations. Intermediary booking service platforms and operators may also be required by Transport Malta to take measures to ensure that the road parking conditions for LPTVs are adhered-to by their drivers.

While operators shall remain responsible to ensure that all LPTVs that are registered under their operator's licence are garaged or parked off-street while these are not being used, L.N. 111 of 2023 introduced measures that are aimed at better enforcing this obligation.

The new requirements shall enter into force two (2) months after the date of publication of L.N. 111 of 2023, i.e., on the 23rd of July 2023.



4. Compliance with the regulations

L.N. 111 of 2023 introduced the following new requirements:

- (a) Upon application and renewal of an operator's licence, operators are required to submit a report issued and signed by a warranted architect, confirming that they have enough private garage parking space and, or private off-street parking space for their exclusive use where to park their vehicles while these are not in use. This report shall include the following information:
- (i) the addresses of locations and site plans of any private parking spaces for the exclusive use of the operator, which may be located in a garage and, or in any private off-street parking areas,
 - (ii) the total number of car spaces available for the operator's exclusive use, and
 - (iii) confirmation that these spaces are sufficient to park all LPTVs that are registered under the operator's licence.

The requirement for operators to submit the above-mentioned report is in addition to all the other already existing requirements to apply for, and to renew an operator's licence, including the existing requirement for operators to declare in their application that they have enough private garage space and, or private off-street parking space to accommodate all their vehicles while these are not in use.

- (b) Drivers using LPTVs during their working time or shift, but who are not booked or are available to be booked to provide a transport service, are not required to return to their garage and are allowed to leave their vehicles parked legally on the road, subject to the following conditions and limitations:
- (i) for a limited time not exceeding sixty (60) minutes, provided that the driver of the vehicle shall exhibit a parking disc on the surface of the dashboard in a clear and visible position from the outer side of the windscreen and the driver shall set the parking disc to show as correctly as possible the time of his leaving the vehicle parked, and



(ii) at a straight-line distance of not less than two hundred and fifty (250) meters from the taxi stands situated at the following locations:

- at all passenger ship berthing sites,
- at the Malta International Airport, and
- in King Edward VII Avenue in Floriana; and

(iii) at a straight line distance of not less than one hundred (100) meters from all other taxi stands; and, or

(iv) at a straight-line distance of not less than fifteen (15) metres from any bus stop.

The above-mentioned time and distance restrictions do not apply while the driver is boarding passengers onto the vehicle or alighting passengers from the vehicle.

- (c) LPTVs that are parked legally on the road with the driver inside are not bound by the time restriction but must still observe the distance restrictions from taxi stands and bus stops. This means that there is no time limit for an LPTV to be parked legally on the road, as long as the driver is and remains inside the vehicle and the vehicle is parked outside the prohibited distances from taxi stands and bus stops.
- (d) For the purpose of ensuring compliance with the distance requirements, Transport Malta has the right to require operators of LPTVs and intermediary booking service platforms to take the necessary measures, such as applying geofencing technology, not to communicate any booking requests to drivers who are located with their vehicles within the prohibited distances from taxi stands and bus stops.
- (e) An administrative penalty of €500 is being introduced for operators who fail to take measures, when requested by Transport Malta, not to communicate any booking request to drivers who are located with their vehicles within the prohibited distances from taxi stands and bus stops. This administrative penalty is separate from the current €500 administrative penalty for operators who are found in breach of the garaging rule. An administrative penalty of €500 is also



being introduced for drivers who are found in breach of the parking time and/or the distance restrictions while they are using the vehicle.

- (f) Transport Malta shall not register or licence any additional LPTV under an operator's licence during its period of validity if it results that the number of available parking spaces declared in the above-mentioned architect's report will be exceeded. However, if such instance arises, the operator shall have the right to submit an updated architect's report including any additional private parking spaces that may be available for his exclusive use.

5. What is to be expected of Transport Malta?

Apart from the new provisions explained under the previous section, Transport Malta is responsible to carry out inspections and other administrative duties to ensure conformity with the new requirements.

6. Channels of Communication with Transport Malta.

For more information or clarification on the implementation of these regulations, kindly refer your queries Transport Malta via email on info.tm@transport.gov.mt.

N.B. This Guidelines document is not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. This document does not purport to be an authoritative ruling on the interpretation of the legislation.
