

Tachographs in road transport

2011/0196(COD) - 04/02/2014 - Final act

PURPOSE: to revise Council Regulation (EEC) 3821/85 in order to improve the recording equipment in road transport.

LEGISLATIVE ACT: Regulation (EU) No 165/2014 of the European Parliament and of the Council on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport.

CONTENT: this regulation on tachographs in road transport, which replaces the 1985 tachograph regulation, is aimed at **making fraud more difficult and reducing the administrative burden**.

In time, the current manual recording of the vehicle's location will be replaced by **automated recording through satellite positioning**. Remote communication from such a smart tachograph will provide basic information on compliance and allow for early detection of possible manipulation or misuse.

Regulatory changes include: (i) stricter requirements for workshops responsible for installing and calibrating tachographs and a wider exemption from the obligation to use tachographs, which should help reduce the administrative burden, in particular for SMEs.

Main features of the new regulation include:

Smart tachograph: the smart tachograph will include two new functionalities: remote communication for the purposes of checking and recording location-related data. In addition, the tachograph must be equipped with, or have the capacity to connect to, an interface facilitating its integration into Intelligent Transport Systems (ITS).

The application of the new satellite-linked technology will become mandatory 36 months after the technical specifications for the new tachograph have been established, **probably in 2017 or 2018**. This applies to newly registered vehicles.

Other vehicles involved in international transport must be retrofitted with the smart tachograph **at the latest 15 years** after the date agreed for newly registered vehicles.

Recording of vehicle position: to make compliance with the legislation easier, the vehicle's position will be automatically recorded at the following points, or at the nearest point where a satellite signal is available: (a) the start of the daily working period; (b) **every three hours** of continuous driving; and (c) the place where the daily working period ends.

Equipment for the remote early detection of possible manipulation or misuse: Member states have to ensure that control officers have sufficient equipment – as listed in the regulation - to carry out their monitoring tasks, but there will be no obligation to provide them with remote early detection equipment during the first 15 years following the introduction of the smart tachograph. After that period, Member States will provide such equipment as is appropriate, depending on their national enforcement strategies.

Remote communication for control purposes: the regulation contains an exhaustive list of elements to be transmitted to control officers. Under no circumstance may the remote control communication lead to automatic fines or penalties for the driver or the undertaking.

Tachograph requirements: these have been defined in further detail, including specific references to competition in the manufacturers market. New provisions on functions of the tachograph, data to be recorded, warnings and display of information to the driver have also been included in the new regulation.

Data protection and privacy: the regulation introduces new guarantees. Data protection, as well as the training of control officers will be strengthened.

Control officers: their role has been strengthened, with the introduction of a new article. The Commission will set the content of the control officers' training, which will include a common interpretation of the social legislation.

Temporary cards: control of non-resident drivers will be improved by allowing them to use digital tachographs. The Commission will closely monitor the issuing of temporary driver cards to **drivers from third countries**, in particular in order to make sure that there is no negative impact on the labour market.

Derogations based on distance: non-professional drivers who use their vehicle to transport materials or equipment necessary for their work will be exempt from using a tachograph **within a 100 km radius from the base of the undertaking for which they work**, on condition their vehicle does not exceed 7.5 tonnes.

Weight sensors: lastly, the Commission is to examine whether the control of driving and resting times could be improved in the future by including weight sensors in the smart tachograph.

ENTRY INTO FORCE: 01.03.2014.

Regulatory measures will be applicable **before the introduction of the smart tachograph**, i.e. from 02.03.2016, while the rules regarding the approval and control of workshops and those regarding the use of drivers' cards will be applicable from 02.03.2015.