

Basic information	
<b>1994/0187(SYN)</b> SYN - Cooperation procedure (historic) Road transport: recording equipment, tachograph Amended by <a href="#">2001/0241(COD)</a> <b>Subject</b> 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence	Procedure completed

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<span style="border: 1px solid red; padding: 2px;">TRAN</span> Transport and Tourism		WIJSENBEEK Florus A. (ELDR)	11/10/1994
	<b>Former committee responsible</b>		<b>Former rapporteur</b>	<b>Appointed</b>
	<span style="border: 1px solid red; padding: 2px;">TRAN</span> Transport and Tourism		WIJSENBEEK Florus A. (ELDR)	11/10/1994
	<b>Former committee for opinion</b>		<b>Former rapporteur for opinion</b>	<b>Appointed</b>
	<span style="border: 1px solid red; padding: 2px;">ECON</span> Economic and Monetary Affairs, Industrial Policy		THYSSEN Marianne (PPE)	20/12/1994
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Competitiveness (Internal Market, Industry, Research and Space)		2117	1998-09-24
	Transport, Telecommunications and Energy		1992	1997-03-11
	Transport, Telecommunications and Energy		2059	1997-12-10
	Transport, Telecommunications and Energy		1857	1995-06-19
	Transport, Telecommunications and Energy		1979	1996-12-13
	Transport, Telecommunications and Energy		2016	1997-06-17

Key events			
Date	Event	Reference	Summary
09/02/1994	Additional information		Summary

22/07/1994	Legislative proposal published	COM(1994)0323 	<a href="#">Summary</a>
26/09/1994	Committee referral announced in Parliament		
19/06/1995	Debate in Council		
22/06/1995	Vote in committee		<a href="#">Summary</a>
22/06/1995	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0155/1995</a>	
12/07/1995	Debate in Parliament		<a href="#">Summary</a>
21/11/1995	Modified legislative proposal published	COM(1995)0550 	<a href="#">Summary</a>
13/12/1996	Debate in Council		
11/03/1997	Debate in Council		
11/12/1997	Council position published	<a href="#">10116/1/1997</a>	<a href="#">Summary</a>
15/01/1998	Committee referral announced in Parliament, 2nd reading		
17/03/1998	Vote in committee, 2nd reading		<a href="#">Summary</a>
17/03/1998	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0116/1998</a>	
30/03/1998	Debate in Parliament		<a href="#">Summary</a>
02/07/1998	Modified legislative proposal published	COM(1998)0355 	<a href="#">Summary</a>
24/09/1998	Act adopted by Council after consultation of Parliament		
24/09/1998	End of procedure in Parliament		
09/10/1998	Final act published in Official Journal		

#### Technical information

<b>Procedure reference</b>	1994/0187(SYN)
<b>Procedure type</b>	SYN - Cooperation procedure (historic)
<b>Procedure subtype</b>	Legislation
<b>Amendments and repeals</b>	Amended by <a href="#">2001/0241(COD)</a>
<b>Legal basis</b>	EC Treaty (before Amsterdam) E 075
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	TRAN/4/09595

#### Documentation gateway

European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A4-0155/1995</a> <a href="#">OJ C 249 25.09.1995, p. 0004</a>	22/06/1995	
		<a href="#">T4-0348/1995</a>		

Text adopted by Parliament, 1st reading/single reading		<a href="#">OJ C 249 25.09.1995, p. 0118-0128</a>	13/07/1995	<a href="#">Summary</a>
Committee recommendation tabled for plenary, 2nd reading		<a href="#">A4-0116/1998</a> <a href="#">OJ C 138 04.05.1998, p. 0006</a>	17/03/1998	
Text adopted by Parliament, 2nd reading		<a href="#">T4-0175/1998</a> <a href="#">OJ C 138 04.05.1998, p. 0018-0026</a>	31/03/1998	<a href="#">Summary</a>

#### Council of the EU

Document type	Reference	Date	Summary
Council position	<a href="#">10116/1/1997</a> <a href="#">OJ C 043 09.02.1998, p. 0006</a>	11/12/1997	<a href="#">Summary</a>

#### European Commission

Document type	Reference	Date	Summary
Legislative proposal	<a href="#">COM(1994)0323</a>  <a href="#">OJ C 243 31.08.1994, p. 0008</a>	22/07/1994	<a href="#">Summary</a>
Modified legislative proposal	<a href="#">COM(1995)0550</a>  <a href="#">OJ C 025 31.01.1996, p. 0005</a>	21/11/1995	<a href="#">Summary</a>
Commission communication on Council's position	<a href="#">SEC(1998)0026</a> 	12/01/1998	<a href="#">Summary</a>
Modified legislative proposal	<a href="#">COM(1998)0355</a> 	02/07/1998	<a href="#">Summary</a>

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES0189/1995</a> <a href="#">OJ C 110 02.05.1995, p. 0019</a>	22/02/1995	<a href="#">Summary</a>

#### Additional information

Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

#### Final act

<a href="#">Regulation 1998/2135</a> <a href="#">OJ L 274 09.10.1998, p. 0001</a>	<a href="#">Summary</a>
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## Road transport: recording equipment, tachograph

1994/0187(SYN) - 12/01/1998 - Commission communication on Council's position

The common position of the Council essentially followed the opinion of the European Parliament, which, at first reading, had called for the way to be paved for the introduction of a new generation of fully digital recording equipment with integrated memory according with the system referred to in Annex I(B). Over a period of more than two years, it had become clear in the light of technical progress and thinking within the industry that this was the right approach and that it was therefore no longer justified to retain the option (Annex I(A)) which represented an intermediate stage between the present tachograph and fully digital recording equipment. As option I(B) accorded entirely with the objectives which the Commission had in mind in drawing up its proposal for amending Regulation (EEC) No 3821/85 and Directive 88/599/EEC, the Commission expressed a favourable opinion on the common position as a whole.

## Road transport: recording equipment, tachograph

1994/0187(SYN) - 22/07/1994 - Legislative proposal

The purpose of the proposal to amend Regulation No 3821/85 is to make provision for the compulsory installation of an additional device to the recording equipment currently used by hauliers in order to improve the application of and respect for social legislation in the road transport sector, as set out in Regulation (EEC) No 3820/85, which is frequently violated. Specifically, it is proposed to improve the current system (tachograph) by adding a device enabling the main data required for monitoring driving and rest times to be stored digitally on a driver's memory card. This device will be installed on commercial vehicles and will allow the authorities to ascertain quickly and reliably whether or not social legislation is being respected. At the same time, it will help drivers to ensure that they do not accidentally violate this legislation. The system will also allow the authorities to study driving and rest times in detail on the company's premises. A deadline for implementation of approximately three years has been allowed between the date on which the proposal is formally adopted and the starting date for the compulsory installation of the device to new vehicles.

## Road transport: recording equipment, tachograph

1994/0187(SYN) - 24/09/1998 - Final act

OBJECTIVE: To provide for compulsory installation of an additional device to the recording equipment (tachograph) currently used by drivers in order to improve application and respect for social legislation in the road transport sector. COMMUNITY MEASURE: Council Regulation (EC) 2135/98 amending Regulation (EEC) 3821/85 on recording equipment in road transport and Directive 88/599/EEC. NOAMSUBSTANCE: The regulation aims principally to improve the existing system (tachograph) by adding a device enabling the main data required for monitoring driving and rest times to be stored numerically on a driver's memory card. The regulation provides for compulsory installation of entirely digital recording equipment complying with the specifications laid down in Annex IB on all new vehicles from 1 July 2000 if all the conditions are fulfilled, in particular certain technical specifications detailed in Annex IB must be adopted if possible by 1 July 1998 by the type IIIa committee procedure. The regulation also provides for: - each Member State to grant EC component type-approval to recording equipment conforming to the technical requirements laid down in Annex IB; - shared responsibility between employers and drivers for correct functioning and proper use of the system; - precise conditions for issuing driver cards (normal residence criterion), for the length of validity of the card and the conditions under which it may be replaced, renewed, mutually recognised, exchanged, suspended or withdrawn; - recording of the data required to monitor compliance with the regulation for at least 365 days; - recording of the symbol of the country where drivers begin their daily work period and of the country where they finish; - arrangements for roadside checks which take account of the two systems co-existing (vehicles with recording systems complying with Annex I and those with systems complying with Annex IB may both be in operation); - a system which sets the date of compulsory installation of recording equipment complying with Annex IB (and the issuing by the Member States of driver cards) depending on the date of publication in the Official Journal and certain technical requirements specified in Annex IB (if possible by 1 July 1998); - the requirement for some vehicles already in operation to replace their existing recording device with a device complying with the provisions of Annex IB, if the former is defective. The modifications to Directive 88/599/EEC aim principally to: - not discriminate at roadside checks between drivers of vehicles fitted with the current recording system (with a disc) and drivers of vehicles fitted with recording systems conforming with Annex IB and driver cards; - enable the authorities to monitor on their own premises data recorded by recording systems conforming with Annex IB and driver cards. ENTRY INTO FORCE: 10/10/98

## Road transport: recording equipment, tachograph

1994/0187(SYN) - 02/07/1998 - Modified legislative proposal

The re-examined Commission proposal incorporates Parliament's amendments aiming to: - cover all the memory cards listed under annex IB as well as driver cards; - allow universal or separate type-approval of control system components; - clarify or strengthen some provisions to ensure the operational security of the new control system; - require, with regard to the control system under Annex IB, of working time and availability to be recorded separately; - give details of the type of printed documents which the driver must be able to present in certain cases. The Commission has not accepted the amendment aiming to introduce a new recital inviting the Commission and the Council to begin immediate negotiations with third countries in the AETR with a view to their adopting identical rules.

## Road transport: recording equipment, tachograph

1994/0187(SYN) - 21/11/1995 - Modified legislative proposal

The Commission's amended proposal incorporates 20 of the 32 amendments adopted by the European Parliament at first reading. The main amendments incorporated: - propose an additional Annex (Annex IB) defining in maximum detail the technical specifications of recording equipment in which the recording disc has been replaced by an electronic memory; - improve computer security; - delete the requirement for an external warning signal. The Commission rejected the other amendments, especially those relating to the date for abolishing the existing system, the committee responsible for assisting the Commission and the refitting of vehicles after 1985.

## Road transport: recording equipment, tachograph

1994/0187(SYN) - 11/12/1997 - Council position

The common position of the Council follows and expands the amended Commission proposal, which incorporated the European Parliament's amendments aimed at paving the way for the introduction of a new generation of fully digital recording equipment with integrated memory according with the system referred to in Annex I(B). The common position requires the installation of fully digital recording equipment in accordance with the provisions of Annex I(B) on all new vehicles as from 01/07/2000 if all the conditions laid down are met, i.e. in particular if certain technical specifications itemized in Annex I(B) are adopted, if possible before 01/07/1998, under the type III(a) committee procedure. In comparison with the amended proposal, the common position comprises significant changes, the main ones being as follows: - deletion of Annex I(A): the common position no longer provides for the possibility of installing and using equipment which complies with Annex I(A) nor alternative digital systems which ensure a performance equivalent to that of system I(B); - the granting by each Member State of EC type approval for new recording equipment produced in accordance with the technical specifications in Annex I(B); - the sharing of responsibility between employers and drivers for the correct functioning and proper use of the system; - the definition of precise conditions for the issue of the driver card (normal residence criterion), for the period of the card's validity, for the conditions of replacement, renewal, mutual recognition, exchange, suspension or withdrawal of the card; - the storage for at least 365 days of the data needed to monitor compliance with the Regulation; - the storage of the symbol of the country in which the driver begins and ends his daily work period; - procedures relating to inspections at the roadside which take account of the temporary existence of the two systems side by side, namely the possibility of there being in service both vehicles fitted with recording equipment in conformity with Annex I to the Regulation and vehicles fitted with recording equipment in conformity with Annex I(B); - a mechanism which determines the date of compulsory installation of recording equipment in accordance with Annex I(B) (and the issue by Member States of driver cards) in keeping with the date of publication in the Official Journal of the European Communities of certain technical specifications in Annex I(B) (if possible before 01/01/1998); - the requirement for certain vehicles already in service to replace the existing recording equipment with equipment which conforms with the requirements of Annex I(B) if the former is defective; - the amendments to Directive 88/599/EEC the aim of which is: .not to create any discrimination, at the time of roadside checks, between drivers of vehicles fitted with the current recording equipment (with disk) and drivers of vehicles fitted with recording equipment in accordance with Annex I(B) and with driver cards; .to allow checks by the competent authorities, at their own premises, of the data recorded by the recording equipment in accordance with Annex I(B) and by the driver cards; - the inclusion of an expanded Annex I(B) providing in particular for: .a memory, built into the recording equipment, making it possible to store the relevant data for the purposes of checks for at least 365 days after being recorded; .a printer in the vehicle cab (built in or capable of being connected to the recording equipment); .a company card which gives the company access to data on the work of drivers in its vehicles; .a control card held by the competent authorities of the Member States to obtain access to data stored in the memory of the recording equipment or in the driver cards; .a list of the data which it must be possible to display on the screen of the recording equipment or to print; .a list of the warning signals in the event of any malfunction of the system or where the regulation periods are exceeded; .the recording of driving times, other periods of work or of availability, breaks from work and daily rest periods with an accuracy of one minute.

## Road transport: recording equipment, tachograph

1994/0187(SYN) - 22/02/1995 - Economic and Social Committee: opinion, report

It was essential to step up checks in the transport sector if infringements were to be detected and if existing rules were to be more effectively enforced. On this point the ESC highlighted the unfortunate fact that, even with tighter checks in individual Member States, there would still be disparities because the existing rules were interpreted in widely differing ways. Consequently, if tighter checks were to have the desired effect, the Commission should also address these problems. The ESC therefore recommended that the rules on driving and rest periods be streamlined when this proposal was being implemented, so as to facilitate greater practicability and effectiveness. The ESC endorsed the Commission's view that changes should be made as soon as possible to the existing control apparatus (tachographs) in lorries by making greater use of information technology. The use of a driver's card (smart card) seemed a vital component in tightening up checks. The proposed equipment to be connected to existing tachographs in practice still needed to prove its technological validity and had so far only been subjected to factory testing. The ESC therefore recommended the speedy introduction of a broader field trial involving a proportion (percentage) of the total number of vehicles affected by the tachograph requirement in each Member State. That would give both national authorities and haulage firms and drivers a chance to assess the scale of the practical administrative burden and ascertain whether control and safety requirements were met. Moreover, the Commission should work for a change in the AETR Convention to ensure that non-EU vehicles met the same control equipment requirements as EU vehicles. This should be scheduled to coincide with the deadlines laid down in the proposal.

## Road transport: recording equipment, tachograph

1994/0187(SYN) - 13/07/1995 - Text adopted by Parliament, 1st reading/single reading

Adopting the report by Mr WIJSENBECK, the European Parliament approved the proposal. It considered that on-board computers were without doubt the most appropriate instrument because they allowed both standard data on the speed and length of the journey to be recorded together with working times, fuel consumption and driving performance. However, it considered that the solution recommended by the Commission, i.e. to install a "driver card", should also be retained. Parliament called for entrepreneurs who so wished to be allowed to install leading-edge equipment without being obliged to maintain or install a tachograph with the addition of a "driver card". The European Parliament also called for Member States to ensure that

digital data on the driver was stored and transmitted using a system which guaranteed data security and accuracy. It would also be prohibited to falsify, suppress or destroy data recorded on the record sheet or stored in the recording equipment or on the driver card. As far as the committee assisting the Commission is concerned, the European Parliament called for a committee made up of representatives of equipment manufacturers, employers and employees in the transport sector, rather than an advisory committee of national officials. Finally, the Commission was called on to submit a report to the European Parliament and the Council on the technical feasibility of electronic recording and processing apparatus for road transport monitoring and the possibility of introducing such apparatus by the year 2000.

## **Road transport: recording equipment, tachograph**

1994/0187(SYN) - 31/03/1998 - Text adopted by Parliament, 2nd reading

In adopting the recommendation for second reading by Mr Florus WIJSENBEEK (ELDR, NL) Parliament approved the Council's common position on the future recording system in the field of transport (tachograph). Amendments were adopted on the cards issued by the competent authorities to drivers, inspectors and garages and on the procedure to be followed in the event of a driver card been stolen, lost or damaged.