



UNION OF ROAD TRANSPORT ASSOCIATIONS IN THE BLACK SEA ECONOMIC COOPERATION REGION
(BSEC-URTA)

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Istanbul, 25 April 2006

NINTH MEETING OF THE BSEC-URTA GENERAL ASSEMBLY

BSEC PERMIS Headquarters, Istanbul - TURKEY
Thursday, 11 May 2006, at 10:00 hrs

THE DIGITAL TACHOGRAPH AND THE NEW DRIVING AND REST TIMES

(Information Paper prepared by the BSEC-URTA International Secretariat)

According to the information provided by the IRU, the new EU Regulation on the Driving and Rest Time Rules is published in the Official Journal of the EU on 11 April 2006.

The Regulation stipulates the mandatory introduction of the digital tachographs in all new vehicles as of 1 May 2006 and the introduction of the new driving and rest time rules as of 11 April 2007.

The UNECE has announced the adoption of amendments to the AETR Agreement. Accordingly, as of 16 June 2006, all vehicles that are equipped with digital tachographs must be accepted by the non-EU AETR countries.

The non-EU AETR countries in the BSEC region are Azerbaijan, Bulgaria, Moldova, Romania, Russia, Serbia and Montenegro, Turkey and Ukraine while Albania, Armenia and Georgia are not Contracting Parties to the AETR convention.

Key points regarding newly adopted amendments to the AETR Agreement:

- **Mandatory Introduction of Digital Tachographs in Non-EU AETR Countries.** As of 16 June 2010, all vehicles covered by the AETR rules will need to be fitted with a digital tachograph (a four-year transition period is foreseen);
- **Card Issuing Deadline.** The AETR Contracting Parties will be issuing digital tachograph cards at least three months before the expiry of the four year transition period, i.e. 16 March 2010. If a Contracting Party decides to introduce a mandatory requirement for its operators to fit digital tachographs before this date, it must still respect this three month deadline for issuing cards. If within the four year transition period, an operator decides to use a digital tachograph vehicle before the country of registration has begun card issuing, controls shall be carried out on the basis of paper print outs showing driving times for the current week and for the final day of the last week in which he drove. These sheets should be marked with the name, driving licence number and signature of the driver;
- **Acceptance of Vehicles with Digital Tachograph on AETR Territory from 16 June 2006.** Any EU-registered vehicles equipped with a digital tachograph must, by law, be accepted on the territory of any non-EU AETR countries from 16 June 2006. Until that date, a recommendation adopted in February this year by the UNECE Inland Transport Committee places a moral obligation on non-EU AETR states to accept digital tachographs as recognised recording equipment, even prior the official entry into force of the amendments.

Key changes under the new EU regulation on the Driving and Rest Times Rules:

- **56 Hour Weekly Driving Limit;**
- **11 Hours Undivided Daily Rest or 12 Hours Divided Daily Rest;**
- **Flexibility to Split Daily Rest into Two Parts.** 12 hours daily rest can be split into a maximum of **two** parts, the first comprising three hours and the second nine hours;



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- **Retain Simplified Break Requirements.** After 4.5 hours driving a 45 minute break is required. This can be replaced by two breaks within this driving period: the first of 15 minutes and the second of 30 minutes;
- **Practical Weekly Rest.** A weekly rest of 45 hours is required every second week. Weekly rest must be taken after no more than six 24 hour driving periods;
- **12 Day Continuous Driving Derogation for Occasional International Passenger Services Removed;**
- **Inversion of the Burden of Proof:** The primary responsibility for infringements committed by drivers on transport undertakings.

Key results from the related EU Enforcement Directive:

- **Minimum Checks.** Checks carried out by the EU Member States will be increased from 2008 to at least 2% of days worked by drivers and to 3% by 2011;
- **Tachograph Records.** From 2008, drivers will need to present to enforcement bodies 28 days worth records. This will apply to drivers of analogue and digital tachograph equipped vehicles;
- **Common Penalties and Infringements.** There will be no EU harmonisation of penalties for driving and rest time rules infringements. However, there will be a common list of serious infringements in the annex to the related EU Directive.

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