



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

DOC/GA13/AETR/08

Istanbul, 30 April 2008

**THIRTEENTH MEETING OF THE BSEC-URTA GENERAL ASSEMBLY**

Holiday Inn Vinogradovo, Moscow – RUSSIAN FEDERATION  
Wednesday, 4 June 2008, at 10:00 hrs

**THE DIGITAL TACHOGRAPH AND THE WORK OF CREWS OF VEHICLES  
ENGAGED IN INTERNATIONAL ROAD TRANSPORT**

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

On 11<sup>th</sup> April 2006, in the Official Journal of the European Union was published the Regulation (EC) No. 561/2006 on road transport which clarify and update rules, aimed at making drivers' hours more easily enforceable, through the introduction of the digital tachograph and other changes.

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.

In order to harmonize requirements concerning international road transport and facilitate its operation, the UNECE has adopted amendments to the AETR Agreement, too.

**SUMMARY OF AMENDMENTS TO THE AETR AGREEMENT WHICH ENTERED INTO FORCE ON  
16 JUNE 2006:**

**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.

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

**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 was 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;

**Recording drivers' hours using both analogue and digital tachograph.** Records of drivers' hours, *including analogue charts* and printouts from digital tachograph vehicle units, must still be kept for at least a year, now in chronological order and made easily available, either directly or remotely, from the premises of the undertaking to an inspecting officer.

If a driver has been issued with a Driver Smart Card, there is a requirement for the driver to carry that Driver Smart Card and make it available for inspection at all times, irrespective of whether the Driver Smart Card has ever been used to record data or not. In the case of a damaged (lost) Driver Smart

Card, the driver is required to print out the details of the vehicle at the start of the journey and enter the details to enable the driver to be identified and sign; at the end of the journey to print out the information relating to the period of time recorded by the equipment and again enter details that will identify the driver and sign.

Both printouts must have the following information manually added by the driver:

- the driver's name or driving licence number,
- periods of: other work, availability and rest/break not automatically stored by the vehicle unit,
- the driver's signature.

"Other work", including work for another employer within or outside the sector, as well as periods of "availability", must be recorded under the corresponding symbols shown on the tachograph,

#### **NEW RULES AFTER 11 APRIL 2007:**

**Daily driving.** The daily driving time shall not normally exceed 9 hours, although the daily driving limit may be extended to at most 10 hours, not more than twice during the week. Increases to 10 hours daily driving no longer require any compensatory daily rest to be taken.

**Weekly driving.** The weekly driving time shall not exceed 56 hours.

**Fortnightly driving.** Maximum 90 hours in any two consecutive weeks.

**Breaks from driving.** 45 minutes break in or immediately following 4½ hours driving – can be broken down into an initial minimum period of 15 minutes, followed by a 30 minute break period.

**Daily rest .** 11 hours undivided daily rest or 12 hours divided daily rest (12 hours daily rest can be split into a maximum of two parts, the first comprising three hours and the second nine), may be replaced by a reduced daily rest if it is at least 9 hours – a reduced daily rest may be taken up to 3 times between any two weekly rest periods. No compensation required.

**Weekly rest.** Regular weekly rest period is 45 hours, can be reduced to a weekly rest period of at least 24 hours in alternate weeks. Any rest taken as compensation for a reduced weekly rest must be made up by the end of the 3rd week following, attached to a rest period of at least 9 hours.

**Multi-manning.** 9 hours rest in 30 hours permitted, with further allowance for a driver to operate the 1st hour solo.

**Ferry / train crossings.** A regular daily rest period of 11 hours may be interrupted not more than twice, of which the interruptions may be no more than 1 hour – no compensation required.

#### **ENFORCEMENT**

- **Cross-border enforcement.** Up until now, enforcing officers could only sanction against those infringements committed in their own territory, or at very best by their own nationals abroad, which has often been too difficult to prosecute. In future, no matter where the infringement is committed, an enforcement officer at a roadside check can sanction and prosecute.

- **Co- liability of the whole transport chain.** This principle recognises that operators can often be the weak link in the transport chain, and can be put under undue pressure, particularly by customers to agree to impossible schedules that cause them to infringe the rules.

- **Immobilisation of vehicles.** A common range of sanctions is set out, which give enforcement staff the power to immobilise vehicles if the infringement detected means that to let the driver continue would be a hazard to road safety.

## **Drivers' obligations**

From 1st January 2008 drivers must be able to provide records for the current day and the previous 28 days. Drivers must be able to produce records at the roadside, whenever an inspecting officer so requests (i.e. at a roadside check).

- Drivers using vehicles fitted with analogue tachographs must be able to produce:
  - record sheets for the current day and the previous 28 days.
  - their digital tachograph driver card (if the driver has been issued with one),
  - any manual record and printout made during the same period.
  
- Drivers using vehicles fitted with digital tachograph vehicle units must be able to produce:
  - their digital tachograph driver card,
  - any manual record and printout made during the current day and the previous 28 days,
  - any analogue tachograph record sheets for the same period (i.e. covering occasions where the driver drove an analogue tachograph equipped vehicle).

\* \* \* \* \*