



**COUNCIL OF
THE EUROPEAN UNION**

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**TRANS 388
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ADDENDUM TO "I/A" ITEM NOTE

From: Council General Secretariat

To: Coreper / Council

No. prev. doc.: 9275/1/13 TRANS 211 CODEC 1000 REV 1

No. Cion prop.: 13195/11 TRANS 222 CODEC 1274

Subject: Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and the Council ("Tachograph")

- Adoption of the revised political agreement (*following early second reading agreement with the EP*)

Delegations will find in the Annex a statement by the Federal Republic of Germany on the above proposal, to be included in the minutes.

Statement for the minutes by the Federal Republic of Germany

"This Commission proposal on the digital tachograph is intended to establish the efficiency and effectiveness of tachographs and to ensure that professional drivers observe the rules on driving and rest times even more closely.

In the view of the German Federal Government, the proposal should not result in small and medium-sized enterprises - in particular craft industry enterprises - being exposed to further red tape without good reason, however.

The compromise text negotiated between the Parliament and the Council makes provision for such enterprises to be exempted if they use a vehicle within a 100 km radius from the base of the undertaking. While this is an improvement on the existing exemption, which covers only a 50 km radius, for large countries in terms of area, such as Germany, the new provision is nevertheless insufficient and therefore not acceptable. Moreover, small and medium-sized enterprises in particular are today dependent on reaching customers within a larger radius.

From the start of the negotiations, the German Federal Government has been advocating that the exemption be extended to a 150 km radius. As a minimum fallback position, it would still be acceptable to Germany if at least those Member States believing this to be necessary were given the possibility of extending the exemption to a 150 km radius.

On the basis of the arguments mentioned in this statement for the minutes, the German Federal Government is unable to agree to the Commission proposal on digital tachographs in the form resulting from the informal trilogue."
