



**COUNCIL OF  
THE EUROPEAN UNION**



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## **Council agrees on tachograph regulation**

The Council today agreed<sup>1</sup> on a general approach<sup>2</sup> as regards a new regulation on the tachograph used in road transport ([11433/12](#)), settling the issue of the proposed merger of the driving licence with the tachograph driver card, which was left open in the partial general approach already reached last December ([18148/11](#)).

The general approach does not retain the Commission's proposal to incorporate a microchip with the driver card functionalities into the driving licence for professional drivers, since the majority of delegations have doubts as to whether the benefits of such a merger would justify the costs it entails. By the same token, it was decided to await a more thorough cost-benefit analysis by the Commission before further discussing its proposal for a revision of the driving licences directive, providing for a mandatory merger of both documents ([16842/11](#)).

In addition to the points covered by December's partial general approach, the full general approach includes a provision allowing member states, under certain conditions, to issue a temporary driver card to drivers from third countries who need a tachograph driver card for professional reasons, but cannot apply for a standard card because they do not have their normal residence in the EU. This temporary card will be non-renewable and its validity will be limited to a maximum of 185 days.

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<sup>1</sup> The decision was taken without discussion at a meeting of the General Affairs Council in Luxembourg. The Commission issued a statement on the general approach ([11433/12 ADD 1](#)).

<sup>2</sup> A general approach is a political agreement of the Council pending the first-reading position of the European Parliament.

# **P R E S S**

The aim of the new draft legislation, which will replace the 1985 tachograph regulation, is to make fraud more difficult and to reduce the administrative burden by making full use of new technologies and introducing a number of new regulatory measures.

The general approach contains the following key elements:

As regards the use of **technology**:

- The current manual recording of the location of the vehicle will be replaced by automated recording through satellite positioning. To reduce costs, only positioning services free of fees will be used.
- Remote communication from the tachograph providing basic information on compliance will allow for early detection of possible manipulation or misuse, thereby enabling officers to target roadside checks better and avoid unnecessary checks. However, there will be no obligation for member states to ensure that their inspection authorities are equipped with the instruments required for remote early detection of this kind.
- In addition, the tachograph may be equipped with an interface facilitating its integration into Intelligent Transport Systems (ITS), subject to certain conditions.

The draft regulation also contains safeguards for protection of personal data: recording of vehicle position will be limited to the starting and ending place of the daily working period; access to data will be restricted to control authorities; and the explicit consent of the driver will be required for the access to personal data through an external ITS device.

The "smart tachograph", that is, the application of the new satellite-linked technology, will become mandatory 40 months after the technical specifications for the new tachograph have been established, i. e. probably in 2017 or 2018.

The **regulatory** changes include stricter requirements for workshops responsible for installing and calibrating tachographs. In order to cut the administrative burden, the exemption from the obligation to use tachographs, which member states may grant to certain users - mainly small and medium-sized enterprises - will be extended: for those users, the new draft regulation introduces an exemption for transport operations within a radius of 100 km, whilst hitherto the exemption has been limited to 50 km in certain cases.

The regulatory measures will apply two years after the publication of the regulation in the Union's Official Journal, with the exception of the rules on the approval and control of workshops and the use of driver cards, which will be applicable one year earlier.

The European Parliament, from which approval is also required for the adoption of the regulation, is expected to adopt its position at first reading in early July.

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