

Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (Text with EEA relevance)

## CHAPTER I

### PRINCIPLES, SCOPE AND REQUIREMENTS

#### *Article 2*

#### **Definitions**

1 For the purposes of this Regulation, the definitions set out in Article 4 of Regulation (EC) No 561/2006 shall apply.

2 In addition to the definitions referred to in paragraph 1, for the purposes of this Regulation the following definitions shall apply:

- a ‘tachograph’ or ‘recording equipment’ means the equipment intended for installation in road vehicles to display, record, print, store and output automatically or semi-automatically details of the movement, including the speed, of such vehicles, in accordance with Article 4(3), and details of certain periods of activity of their drivers;
- b ‘vehicle unit’ means the tachograph excluding the motion sensor and the cables connecting the motion sensor. The vehicle unit may be a single unit or several units distributed in the vehicle, provided that it complies with the security requirements of this Regulation; the vehicle unit includes, among other things, a processing unit, a data memory, a time measurement function, two smart card interface devices for driver and co-driver, a printer, a display, connectors and facilities for entering the user’s inputs;
- c ‘motion sensor’ means a part of the tachograph providing a signal representative of vehicle speed and/or distance travelled;
- d ‘tachograph card’ means a smart card, intended for use with the tachograph, which allows identification by the tachograph of the role of the cardholder and allows data transfer and storage;
- e ‘record sheet’ means a sheet designed to accept and retain recorded data, to be placed in an analogue tachograph, and on which the marking devices of the analogue tachograph continuously inscribe the information to be recorded;
- f ‘driver card’ means a tachograph card, issued by the [F1Secretary of State] to a particular driver, which identifies the driver and allows for the storage of driver activity data;
- g ‘analogue tachograph’ means a tachograph using a record sheet in accordance with this Regulation;
- h ‘digital tachograph’ means a tachograph using a tachograph card in accordance with this Regulation;
- i ‘control card’ means a tachograph card issued by the [F2Secretary of State] to a national competent control authority which identifies the control body and, optionally, the control officer, and which allows access to the data stored in the data memory or in the driver cards and, optionally, in the workshop cards for reading, printing and/or downloading;

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- j ‘company card’ means a tachograph card issued by the [<sup>F3</sup>Secretary of State] to a transport undertaking needing to operate vehicles fitted with a tachograph, which identifies the transport undertaking and allows for the displaying, downloading and printing of the data, stored in the tachograph, which have been locked by that transport undertaking;
- k ‘workshop card’ means a tachograph card issued by the [<sup>F4</sup>Secretary of State] to designated staff of a tachograph manufacturer, a fitter, a vehicle manufacturer or a workshop, approved by [<sup>F5</sup>the Secretary of State], which identifies the cardholder and allows for the testing, calibration and activation of tachographs, and/or downloading from them;
- l ‘activation’ means the phase in which the tachograph becomes fully operational and implements all functions, including security functions, through the use of a workshop card;
- m ‘calibration’ of a digital tachograph means updating or confirming vehicle parameters, including vehicle identification and vehicle characteristics, to be held in the data memory through the use of a workshop card;
- n ‘downloading’ from a digital tachograph means the copying, together with the digital signature, of a part, or of a complete set, of data files recorded in the data memory of the vehicle unit or in the memory of a tachograph card, provided that this process does not alter or delete any stored data;
- o ‘event’ means an abnormal operation detected by the digital tachograph which may result from a fraud attempt;
- p ‘fault’ means an abnormal operation detected by the digital tachograph which may result from an equipment malfunction or failure;
- q ‘installation’ means the mounting of a tachograph in a vehicle;
- r ‘non-valid card’ means a card detected as faulty, or whose initial authentication failed, or whose start of validity date is not yet reached, or whose expiry date has passed;
- s ‘periodic inspection’ means a set of operations performed to check that the tachograph works properly, that its settings correspond to the vehicle parameters, and that no manipulation devices are attached to the tachograph;
- t ‘repair’ means any repair of a motion sensor or of a vehicle unit that requires the disconnection of its power supply, or its disconnection from other tachograph components, or the opening of the motion sensor or vehicle unit;
- u ‘type-approval’ means a process to certify [<sup>F6</sup>... that the tachograph, its relevant components or the tachograph card to be introduced to market fulfil the requirements of this Regulation;
- v ‘interoperability’ means the capacity of systems and the underlying business processes to exchange data and to share information;
- w ‘interface’ means a facility between systems which provides the media through which they can connect and interact;
- x ‘time measurement’ means a permanent digital record of the coordinated universal date and time (UTC);
- y ‘time adjustment’ means an automatic adjustment of current time at regular intervals and within a maximum tolerance of one minute, or an adjustment performed during calibration;
- z ‘open standard’ means a standard set out in a standard specification document available freely or at a nominal charge which it is permissible to copy, distribute or use for no fee or for a nominal fee.

[<sup>F7</sup>z1 “control officer” means—

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- i an examiner appointed under section 66A of the Road Traffic Act 1988 or Article 74 of the Road Traffic (Northern Ireland) Order 1995,
  - ii a person authorised for the purposes of Part 6 of the Transport Act 1968 by a traffic commissioner, or
  - iii a police constable;
- z2 “equivalent EU regulation” means Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport , as it has effect in EU law, as amended from time to time.]
- [<sup>F8</sup>z3 “smart tachograph 1” means a tachograph complying with Annex IC to Commission Implementing Regulation (EU) 2016/799, as adapted by Appendix 31-B-4-3 to the Trade and Co-operation Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the European Union and the European Atomic Energy Community, of the other part entered into on 30th December 2020;
- z4 “smart tachograph 2” means a tachograph complying with the following requirements—
- i automatic recording of border crossings as described in Article 8(1);
  - ii recording of loading and unloading activities;
  - iii recording whether the vehicle is used for carriage of goods or passengers; and
  - [<sup>F9</sup>iv the standards in Annex IC to Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of smart tachographs and their components, as it has effect in EU law, as modified by the Schedule to the Drivers’ Hours and Tachographs (Amendment) Regulations 2023.]]

#### Textual Amendments

- F1** Words in Art. 2(2)(f) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **74(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 2(2)(i) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **74(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 2(2)(j) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **74(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 2(2)(k) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **74(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 2(2)(k) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **74(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 2(2)(u) omitted (31.12.2020) by virtue of [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **74(e)** (with reg. 114); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 2(2)(z1)(z2) inserted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **74(f)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 2(2)(z3)(z4) inserted (24.12.2022) by [The Drivers’ Hours, Tachographs, International Road Haulage and Licensing of Operators \(Amendment\) Regulations 2022 \(S.I. 2022/1260\)](#), regs. 1(1), **3(2)**
- F9** Art. 2(2)(z4)(iv) substituted (21.8.2023) by [The Drivers’ Hours and Tachographs \(Amendment\) Regulations 2023 \(S.I. 2023/739\)](#), regs. 1(1), **2(2)**

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