

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 IV

### INSTALLATION AND INSPECTION

#### *Article 22*

#### **Installation and repair**

1 Tachographs may be installed or repaired only by fitters, workshops or vehicle manufacturers approved by [<sup>F1</sup>by the Secretary of State] for that purpose in accordance with Article 24 [<sup>F2</sup>(but see Article 25A)].

2 Approved fitters, workshops or vehicle manufacturers shall, in accordance with the specifications included in the type-approval certificate <sup>F3</sup>..., seal the tachograph after having verified that it is functioning properly, and, in particular, in such a way as to ensure that no manipulation device can tamper with or alter the data recorded.

3 The approved fitter, workshop or vehicle manufacturer shall place a special mark on the seals which it affixes and, in addition, for digital tachographs, shall enter the electronic security data for carrying out authentication checks. <sup>F4</sup>....

4 For the purpose of certifying that the installation of the tachograph took place in accordance with the requirements of this Regulation, an installation plaque shall be affixed in such a way as to be clearly visible and easily accessible.

5 Tachograph components shall be sealed as specified in the type-approval certificate. Any connections to the tachograph which are potentially vulnerable to tampering, including the connection between the motion sensor and the gearbox, and the installation plaque where relevant, shall be sealed.

A seal shall be removed or broken only:

- by fitters or workshops approved by the competent authorities under Article 24 for repair, maintenance or recalibration purposes of the tachograph, or by control officers properly trained and, where required authorised, for control purposes;
- for the purpose of vehicle repair or modification which affects the seal. In such cases, a written statement stating the date and time at which the seal was broken and giving the reasons for the seal removal shall be kept on board the vehicle. [<sup>F5</sup>The Secretary of State may by regulations make provision about the form of the written statement].

[<sup>F6</sup>The removed or broken seals shall be replaced by an approved fitter or a workshop without undue delay and at the latest within seven days of their removal or breaking. When the seals have been removed or broken for control purposes, they may be replaced by a control officer equipped with sealing equipment and a unique special mark without undue delay.

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*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EU) No 165/2014 of the European Parliament and of the Council, Article 22. (See end of Document for details)

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When a control officer removes a seal, the control card shall be inserted in the tachograph from the moment of the removal of the seal until the inspection is finished, including in the case of the placement of a new seal. The control officer shall issue a written statement containing at least the following information:

- vehicle identification number,
- name of the officer,
- control authority <sup>F7</sup>...,
- number of the control card,
- number of the removed seal,
- date and time of seal removal,
- number of the new seal, where the control officer has placed a new seal.

Before replacing the seals, a check and calibration of the tachograph shall be performed by an approved workshop, except where a seal has been removed or broken for control purposes and replaced by a control officer.]

#### Textual Amendments

- F1** Words in Art. 22(1) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **82(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 22(1) inserted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **82(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 22(2) 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), **82(b)** (with reg. 114); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 22(3) 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), **82(c)** (with reg. 114); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 22(5) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **82(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Substituted by Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs.
- F7** Words in Art. 22(5) omitted (3.3.2021) by virtue of The Drivers' Hours and Tachographs (Amendment) Regulations 2021 (S.I. 2021/135), regs. 1, **3(6)**

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) No 165/2014 of the European Parliament and of the Council, Article 22.