

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 **U.K.**

INSTALLATION AND INSPECTION

Article 22 **U.K.**

Installation and repair

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

2 Approved fitters, workshops or vehicle manufacturers shall, in accordance with the specifications included in the type-approval certificate ^{F3}..., 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. ^{F4}....

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. [^{F5}The Secretary of State may by regulations make provision about the form of the written statement].

[^{F6}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.

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, CHAPTER IV. (See end of Document for details)

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 ^{F7}...,
- 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)**

Article 23 **U.K.**

Inspections of tachographs

1 Tachographs shall be subject to regular inspection by approved workshops. Regular inspections shall be carried out at least every two years.

2 The inspections referred to in paragraph 1 shall check at least the following:

- the tachograph is correctly fitted and appropriate for the vehicle;
- the tachograph is working properly;
- the tachograph carries the type-approval mark;
- the installation plaque is affixed;
- all seals are intact and effective;

- there are no manipulation devices attached to the tachograph or traces of the use of such devices;
- the tyre size and the actual circumference of the tyres.

3 Workshops shall draw up an inspection report in cases where irregularities in the functioning of the tachograph had to be remedied, whether as a result of a periodic inspection or of an inspection carried out at the specific request of the [F⁸Secretary of State]. They shall keep a list of all inspection reports drawn up.

4 Inspection reports shall be retained [F⁹by the workshop] for a minimum period of two years from the time the report was made. F¹⁰.... [F¹¹Upon] request from the [F¹²Secretary of State], the workshop shall make available the reports of inspections and calibrations carried out during that period.

Textual Amendments

- F8** Words in Art. 23(3) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **83(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 23(4) inserted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **83(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 23(4) 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), **83(3)(b)** (with reg. 114); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Word in Art. 23(4) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **83(3)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 23(4) substituted (31.12.2020) by [The Drivers' Hours and Tachographs \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/453\)](#), regs. 1(3), **83(3)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 24 U.K.

Approval of fitters, workshops and vehicle manufacturers

1 [F¹³The Secretary of State] shall approve, regularly control and certify the fitters, workshops and vehicle manufacturers which may carry out installations, checks, inspections and repairs of tachographs.

2 [F¹⁴The Secretary of State] shall ensure that fitters, workshops and vehicle manufacturers [F¹⁵approved, controlled and certified under paragraph 1] are competent and reliable. For that purpose, [F¹⁶the Secretary of State] shall establish and publish a set of clear national procedures and shall ensure that the following minimum criteria are met:

- a the staff are properly trained;
- b the equipment necessary to carry out the relevant tests and tasks is available;
- c the fitters, workshops and vehicle manufacturers are of good repute.

3 Audits of approved fitters or workshops shall be carried out as follows:

- a approved fitters or workshops shall be subject, at least every two years, to an audit of the procedures they apply when handling tachographs. The audit shall focus in particular on the security measures taken and the handling of workshop cards. [F¹⁷The Secretary of State] may carry out these audits without conducting a site visit;
- b unannounced technical audits of approved fitters or workshops shall also take place in order to check the calibrations, inspections and installations carried out. Those audits shall cover at least 10 % of the approved fitters and workshops annually.

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, CHAPTER IV. (See end of Document for details)

4 [F18The Secretary of State] shall take appropriate measures to prevent conflicts of interests between fitters or workshops and transport undertakings. In particular, where there is a serious risk of a conflict of interests, additional specific measures shall be taken to ensure that the fitter or workshop complies with this Regulation.

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6 [F20The Secretary of State] shall withdraw approvals, either temporarily or permanently, from fitters, workshops and vehicle manufacturers which fail to meet their obligations under this Regulation.

Textual Amendments

- F13** Words in Art. 24(1) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **84(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 24(2) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **84(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Art. 24(2) inserted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **84(3)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 24(2) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **84(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in Art. 24(3)(a) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **84(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 24(4) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **84(5)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Art. 24(5) 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), **84(6)** (with reg. 114); 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in Art. 24(6) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **84(7)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 25 **U.K.**

Workshop cards

1 The period of validity of workshop cards shall not exceed one year. When renewing the workshop card, the [F21Secretary of State] shall ensure that the criteria listed in Article 24(2) are met by the fitter, workshop or vehicle manufacturer.

2 The [F22Secretary of State] shall renew a workshop card within 15 working days after receipt of a valid renewal request and all the necessary documentation. If a workshop card is damaged, malfunctions, or is lost or stolen, the [F22Secretary of State] shall supply a replacement card within five working days of receiving a detailed request to that effect. [F23The Secretary of State] shall maintain a register of lost, stolen or defective cards.

3 If [F24the Secretary of State] withdraws the approval of a fitter, workshop or vehicle manufacturer as provided for in Article 24, [F25the Secretary of State] shall also withdraw the workshop cards issued thereto.

4 [F26The Secretary of State] shall take all necessary measures to prevent the workshop cards distributed to approved fitters, workshops and vehicle manufacturers from being falsified.

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, CHAPTER IV. (See end of Document for details)

Textual Amendments

- F21** Words in Art. 25(1) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **85(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in Art. 25(2) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **85(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in Art. 25(2) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **85(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in Art. 25(3) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **85(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in Art. 25(3) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **85(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in Art. 25(4) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **85(5)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F27} Article 25A **U.K.**

Recognition of EU approved fitters, workshops and vehicle manufacturers

1. Fitters, workshops and vehicle manufacturers which are approved by an EU member State in accordance with Article 24 of the equivalent EU Regulation (“EU approved fitters, workshops and vehicle manufacturers”) shall be treated for the purposes of this Regulation as if they were approved by the Secretary of State in accordance with Article 24 of this Regulation.
2. The Secretary of State is not required by Article 24(1) of this Regulation to control or certify EU approved fitters, workshops and vehicle manufacturers and the following provisions of this Regulation do not apply in relation to EU approved fitters, workshops and vehicle manufacturers—
 - a) Article 2(2)(k);
 - b) Article 24(2) to (6);
 - c) Article 25.]

Textual Amendments

- F27** Art. 25A inserted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **86**; 2020 c. 1, Sch. 5 para. 1(1)

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, CHAPTER IV.