

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 VIII

FINAL PROVISIONS

Article 42

Committee

1 The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

3 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Where the opinion of the committee is to be obtained by a written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so request.

Article 43

Tachograph Forum

1 A Tachograph Forum shall be set up in order to support dialogue on technical matters concerning tachographs among Member States' experts, members of the committee referred to in Article 42, and experts from third countries which are using the tachograph under the AETR Agreement.

2 Member States should delegate as experts to the Tachograph Forum the experts participating in the committee referred to in Article 42.

3 The Tachograph Forum shall be open to participation by experts from interested third countries which are Contracting Parties to the AETR Agreement.

4 Stakeholders, representatives of vehicle manufacturers, tachograph manufacturers, social partners and the European Data Protection Supervisor shall be invited to the Tachograph Forum.

5 The Tachograph Forum shall adopt its rules of procedure.

- 6 The Tachograph Forum shall meet at least once a year.

Article 44

Communication of national measures

Member States shall communicate to the Commission the text of the laws, regulations and administrative provisions which they adopt in the field governed by this Regulation no later than 30 days after their date of adoption and for the first time by 2 March 2015.

Article 45

Amendment of Regulation (EC) No 561/2006

Regulation (EC) No 561/2006 is hereby amended as follows:

- (1) in Article 3, the following point is inserted after point (a):
 - (aa) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used for carrying materials, equipment or machinery for the driver's use in the course of his work, and which are used only within a 100 km radius from the base of the undertaking and on the condition that driving the vehicle does not constitute the driver's main activity;
- (2) Article 13(1) is amended as follows:
 - (a) in points (d), (f) and (p), the words '50 kilometre' or '50 km' are replaced by the words '100 km';
 - (b) the first subparagraph of point (d) is replaced by the following:
 - (d) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used by universal service providers as defined in Article 2(13) of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service⁽¹⁾ to deliver items as part of the universal service..

Article 46

Transitional measures

In so far as the implementing acts referred to in this Regulation have not been adopted so that they may be applied at the time of application of this Regulation, the provisions in Regulation (EEC) No 3821/85, including in Annex IB thereto, shall continue to apply, on a transitional basis, until the date of application of the implementing acts referred to in this Regulation.

Article 47

Repeal

Regulation (EEC) No 3821/85 is hereby repealed. References to the repealed Regulation shall be construed as references to this Regulation.

Article 48

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall, subject to the transitional measures in Article 46, apply with effect from 2 March 2016. However, Articles 24, 34 and 45 shall apply with effect from 2 March 2015.

Status: This is the original version (as it was originally adopted).

(1) [OJ L 15, 21.1.1998, p. 14.](#)