

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 1	Subject-matter and principles
Article 2	Definitions
Article 3	Scope
Article 4	Requirements and data to be recorded
Article 5	Functions of the digital tachograph
Article 6	Display and warning
Article 7	Data protection

CHAPTER II

SMART TACHOGRAPH

Article 8	Recording of the position of the vehicle at certain points during the daily working period
Article 9	Remote early detection of possible manipulation or misuse
Article 10	Interface with Intelligent Transport Systems
Article 11	Detailed provisions for smart tachographs

CHAPTER III

TYPE-APPROVAL

Article 12	Applications
Article 13	Granting of type-approval
Article 14	Type-approval mark
Article 15	Approval or refusal
Article 16	Compliance of equipment with type-approval
Article 17	Approval of record sheets
Article 18	Justification of refusal decisions
Article 19	Recognition of type-approved tachographs
Article 20	Security
Article 21	Field tests

CHAPTER IV

INSTALLATION AND INSPECTION

Article 22	Installation and repair
------------	-------------------------

- Article 23 Inspections of tachographs
- Article 24 Approval of fitters, workshops and vehicle manufacturers
- Article 25 Workshop cards

CHAPTER V

DRIVER CARDS

- Article 26 Issuing of driver cards
- Article 27 Use of driver cards
- Article 28 Renewal of driver cards
- Article 29 Stolen, lost or defective driver cards
- Article 30 Mutual recognition and exchange of driver cards
- Article 31 Electronic exchange of information on driver cards

CHAPTER VI

USE OF EQUIPMENT

- Article 32 Correct use of tachographs
- Article 33 Responsibility of transport undertakings
- Article 34 Use of driver cards and record sheets
- Article 35 Damaged driver cards and record sheets
- Article 36 Records to be carried by the driver
- Article 37 Procedures in the event of malfunctioning equipment

CHAPTER VII

ENFORCEMENT AND SANCTIONS

- Article 38 Control officers
- Article 39 Training of control officers
- Article 40 Mutual assistance
- Article 41 Penalties

CHAPTER VIII

FINAL PROVISIONS

- Article 42 Committee
- Article 43 Tachograph Forum
- Article 44 Communication of national measures
- Article 45 Amendment of Regulation (EC) No 561/2006
- Article 46 Transitional measures
- Article 47 Repeal
- Article 48 Entry into force
- Signature

ANNEX I

REQUIREMENTS FOR CONSTRUCTION, TESTING, INSTALLATION AND INSPECTION FOR ANALOGUE TACHOGRAPHS

- I. DEFINITIONS
- II. GENERAL CHARACTERISTICS AND FUNCTIONS OF RECORDING EQUIPMENT
- III. CONSTRUCTION REQUIREMENTS FOR RECORDING EQUIPMENT
 - (a) General points
 1. Recording equipment shall include the following:
 2. Any inclusion in the equipment of devices additional to those...
 3. Materials
 - 3.1. All the constituent parts of the recording equipment must be...
 - 3.2. Any modification in a constituent part of the equipment or...
 4. Measurement of distance travelled
 5. Measurement of speed
 - 5.1. The range of speed measurement shall be as stated in...
 - 5.2. The natural frequency and the damping of the measuring device...
 6. Measurement of time (clock)
 - 6.1. The control of the mechanism for resetting the clock must...
 - 6.2. If the forward movement mechanism of the record sheet is...
 7. Lighting and protection
 - 7.1. The visual instruments of the equipment must be provided with...
 - 7.2. For normal conditions of use, all the internal parts of...
 - (b) Visual instruments
 1. Distance travelled indicator (distance recorder)
 - 1.1. The value of the smallest grading on the instrument showing...
 - 1.2. The figures on the distance recorder must be clearly legible...
 - 1.3. The distance recorder must be capable of reading up to...
 2. Speed indicators (speedometer)
 - 2.1. Within the range of measurement, the speed scale must be...
 - 2.2. The range indicated beyond that measured need not be marked...
 - 2.3. The length of each space on the scale representing a...
 - 2.4. On an indicator with a needle, the distance between the...
 3. Time indicator (clock)
 - (c) Recording instruments
 1. General points
 - 1.1. All equipment, whatever the form of the record sheet (strip...
 - 1.2. The mechanism moving the record sheet must be such as...
 - 1.3. For record sheets in disc form, the forward movement device...
 - 1.4. Recording of the distance travelled, of the speed of the...
 2. Recording distance travelled
 - 2.1. Every kilometre of distance travelled must be represented on the...

- 2.2. Even at speeds reaching the upper limit of the range...
 3. Recording speed
 - 3.1. Whatever the form of the record sheet, the speed recording...
 - 3.2. Each variation in speed of 10 kilometres per hour must...
 4. Recording time
 - 4.1. Recording equipment must be so constructed that the period of...
 - 4.2. It must be possible, from the characteristics of the traces,...
 - 4.3. In the case of vehicles with a crew consisting of...
 - (d) Closing device
 1. The case containing the record sheet or sheets and the...
 2. Each opening of the case containing the record sheet or...
 - (e) Markings
 1. The following markings must appear on the instrument face of...
 2. The descriptive plaque must be built into the equipment and...
 - (f) Maximum tolerances (visual and recording instruments)
 1. On the test bench before installation:
 2. On installation:
 3. In use:
 4. The maximum tolerances set out in points 1, 2 and...
 5. Measurement of the maximum tolerances set out in points 2...

IV. RECORD SHEETS

- (a) General points
 1. The record sheets must be such that they do not...
 2. The minimum recording capacity of the record sheets, whatever their...
- (b) Recording areas and their graduation
 1. The record sheets shall include the following recording areas:
 2. The area for recording speed must be scaled off in...
 3. The area for recording distance travelled must be set out...
 4. The area or areas reserved for recording the periods referred...
- (c) Information to be printed on the record sheets
- (d) Free space for handwritten insertions

V. INSTALLATION OF RECORDING EQUIPMENT

1. Recording equipment must be positioned in the vehicle in such...
2. It must be possible to adapt the constant of the...
3. After the equipment has been checked on installation, an installation...
4. Sealing
5. The cables connecting the recording equipment to the transmitter must...

VI. CHECKS AND INSPECTIONS

1. Certification of new or repaired instruments
2. Installation
3. Periodic inspections
 - (a) Periodic inspections of the equipment fitted to vehicles shall take...
 - (b) An inspection to ensure compliance with point (f)(3) of Part...
4. Measurement of errors

ANNEX II

APPROVAL MARK AND CERTIFICATE

I. APPROVAL MARK

1. The approval mark shall be made up of:
2. The approval mark shall be shown on the descriptive plaque...
3. The dimensions of the approval mark drawn below are expressed...

II. APPROVAL CERTIFICATE FOR ANALOGUE TACHOGRAPHS

APPROVAL CERTIFICATE

1. Trade mark or name ...
2. Name of type or model ...
3. Name of manufacturer ...
4. Address of manufacturer ...
5. Submitted for approval on ...
6. Tested at ...
7. Date and number of the test(s) ...
8. Date of approval ...
9. Date of withdrawal of approval ...
10. Type or types of recording equipment in which sheet is...
11. Place ...
12. Date ...
13. Descriptive documents annexed ...
14. Remarks (including the position of seals if applicable)

III. APPROVAL CERTIFICATE FOR DIGITAL TACHOGRAPHS

APPROVAL CERTIFICATE FOR DIGITAL TACHOGRAPHS

- # recording equipment model
 - # recording equipment component
 - # a driver's card
 - # a workshop card
 - # a company card
 - # a controller's card
1. Manufacturing brand or trademark ...
 2. Name of model ...
 3. Name of manufacturer ...
 4. Address of manufacturer ...
 5. Submitted for approval for ...
 6. Laboratory(-ies) ...
 7. Date and number of test report ...
 8. Date of approval ...
 9. Date of withdrawal of approval ...
 10. Model of recording equipment(s) with which the component is designed...
 11. Place ...
 12. Date ...
 13. Descriptive documents annexed ...
 14. Remarks

- (1) [OJ C 43, 15.2.2012, p. 79.](#)
- (2) Position of the European Parliament of 3 July 2012 ([OJ C 349 E, 29.11.2013, p. 105](#)) and position of the Council at first reading of 15 November 2013 ([OJ C 360, 10.12.2013, p. 66](#)). Position of the European Parliament of 15 January 2014 (not yet published in the Official Journal).
- (3) Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport ([OJ L 370, 31.12.1985, p. 8](#)).
- (4) Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 ([OJ L 102, 11.4.2006, p. 1](#)).
- (5) [1994] ECR I-2497.
- (6) Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC ([OJ L 102, 11.4.2006, p. 35](#)).
- (7) Regulation No (EC) 765/2008 of the European and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 ([OJ L 218, 13.8.2008, p. 30](#)).
- (8) Commission Recommendation 2010/19/EU of 13 January 2010 on the secure exchange of electronic data between Member States to check the uniqueness of driver cards that they issue ([OJ L 9, 14.1.2010, p. 10](#)).
- (9) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ([OJ L 281, 23.11.1995, p. 31](#)).
- (10) Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) ([OJ L 201, 31.7.2002, p. 37](#)).
- (11) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).
- (12) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ([OJ L 8, 12.1.2001, p. 1](#)).
- (13) [OJ C 37, 10.2.2012, p. 6.](#)