Implementation of the European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) in EECCA countries and forthcoming amendments (mandatory digital tachographs)

1 – Presentation of CORTE and of the speaker

2 – The AETR agreement

3 – The digital tachograph system

4 – Type approval of the digital tachograph/tachograph cards

5 – Security policy

6 – Workshop approval

7 – Issuing of tachograph cards

8 – Enforcement

9 – Data protection

10 – Risk management

11 - Conclusion

1. Brief presentation of **CORTE**

Confederation of **O**rganisations in **R**oad **T**ransport **E**nforcement

www.corte.be

International association based in Brussels

Composed of national authorities in charge of road transport policy and/or enforcement (full members)

Open to NGOs active in this field (associate members)

Open to industrial partners (observers)

No fees to be paid by full and associate members

Full members:

Belgium
Bulgaria
Cyprus
Czech Republic
Denmark
Estonia
Greece
Hungary
Ireland
Latvia
Luxembourg
Malta
Romania
Slovakia
Slovenia
Spain
Sweden
The Netherlands
UK

Bosnia and Herzegovina
Croatia
Georgia
Iceland
Montenegro
Norway
Serbia
Ukraine

4 → 27 members in 2 years only

Full members:

Contacts to be finalised in the first part of 2007 with:

Albania
France
FYROM
Germany
Italy
Lithuania
Moldova
Turkey

Belarus would be welcome

<u>Full members</u>:

Objectives:

Gather all (29) EU and EEA Member States by the end of 2008

Extend to the AETR countries as soon as possible (by the end of 2009)

Associate members

ACEA	→ Vehicle manufacturers
CLEPA	→ Automotive manufacturers
European Transport Safety Council	→ Road Safety
European Road Federation	→ Infrastructures and Road Safety
European Transport Workers' Federation	→ Drivers' Hours Enforcement
FIA (Fédération Internationale Automobile)	→ Road users
International Road Union (IRU)	→ Drivers' Hours Enforcement
ICTCT	→ Road Safety and Research
Etc…	

Associate members:

Objectives: associate all the major actors in the field of road traffic enforcement

Observers:

Siemens VDO

Stoneridge Electronics

Semmler

Copper Source

CORTE has initiated a process at the UNO to become an official consultative body for road transport enforcement issues



1. The speaker

Thierry GRANTURCO
GRANTURCO & Partners

Legal adviser in all the digital tachograph project since 1997

Barrister at the Bar of Paris and at the Bar of Brussels

Phd in European Law
Phd in Political science
Phd in International relations

Professor of Law

Secretary General of **CORTE**



2. The AETR Agreement

Persons and goods are transported everywhere in Europe

To cover these situations, an international agreement has been signed under the auspices of the United Nations on 1 July 1970, known under the acronym **AETR**.

"European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport"

See *http://www.unece.org/trans/main/sc1/sc1doc_2004.html*

Which vehicles are concerned by this Agreement?

It applies to the carriage by road:

(a) of goods where the maximum permissible mass of the vehicle, including any trailer, or semi-trailer, exceeds 3,5 tonnes, or

(b) of passengers by vehicles which are constructed or permanently adapted for carrying more than nine persons including the driver, and are intended for that purpose.

Some vehicles have nevertheless been exempted by the Agreement

- vehicles with a maximum authorised speed not exceeding 40 kilometres per hour;
- vehicles owned or hired without a driver by the armed services, civil defence services, fire services, and forces responsible for maintaining public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control;
- vehicles, including vehicles used in the non-commercial transport of humanitarian aid, used in emergencies or rescue operations;
- specialised vehicles used for medical purposes;
- specialised breakdown vehicles operating within a 100 km radius of their base;
- Etc…

Some vehicles can be exempted by national authorities

- agricultural tractors and forestry tractors used for agricultural or forestry activities, within a radius of up to 100 km from the base of the undertaking which owns, hires or leases the vehicle;
- vehicles used for driving instruction and examination with a view to obtaining a driving licence or a certificate of professional competence, provided that they are not being used for the commercial carriage of goods or passengers;
- vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers;
- specialised vehicles transporting money and/or valuables;
- Etc…

Which journeys are concerned by this Agreement?

EU rules


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EU rules


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AETR rules


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AETR rules


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AETR rules


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RÉUNION (F)

AETR rules

Not covered

Amendments to this Agreement are currently discussed at UN level



3.

Introduction of the digital tachograph

Annex to the AETR

Considering the constant increase of:

- registration of passenger cars
- registration of commercial vehicles

as a consequence of this, the constant increase of:

- road traffic congestion
- road traffic accidents
- fatalities and injuries
- the number of heavy vehicles involved in fatalities

the EU legislator has decided in 1969 to regulate the professional drivers' activities for the very first time.

Regulation (EEC) n° 543/69, Official Journal L 77, page 49
(see http://europa.eu.int/eur-lex/lex/en/index.htm)

This Regulation aimed mainly at:

- limiting driving time allowed by day and by week
- obliging professional drivers to record their activities through a recording equipment called “tachograph” or, alternatively, to use a kind of booklet

First generation of recording equipment In the EU

In the meantime, the EU signed in 1970 under the auspices of the United Nations an agreement called AETR extending the use of the recording equipment to the European but non EU Members (former Eastern countries, former Soviet republics, Balkan countries, etc…)

For EU drivers, the use of recording equipment became mandatory including outside the EU whilst for non EU AETR drivers, the use of recording equipment became mandatory for international journeys only

The UNO-AETR agreement foresees that each change of the recording equipment decided by the EU has to be implemented at AETR level so that each generation of recording equipment, as presented hereinafter, has also been the one used at AETR level

This Regulation changed considerably the drivers' behaviour

But the recording equipment was not yet mandatory in the sense that booklets could be used instead

Therefore, to avoid any distortion of competition between transport operators, the EU legislator decided to amend the 1969 Regulation in 1985 and to introduce a recording equipment on a mandatorily basis for every professional driver

Except for very few exceptions
Regulation (EEC) n° 3821/85, Official Journal L 370, page 8
See http://europa.eu.int/eur-lex/lex/en/repert/0720.htm#07204020

This new Regulation:

- was much more demanding with drivers (in terms of driving, working, availability and rest times)
- increased the number of data collected by the tachograph through the charts used to record data (speed, time, distances, names of drivers/ co-drivers, locations, vehicle registration numbers, etc… have to be recorded and stored)
- introduced new obligations for transport operators (in terms of breakdown or faulty operation of their tachograph)
- introduced more stringent requirements for the repair workshops to ensure a proper calibration of these recording equipments

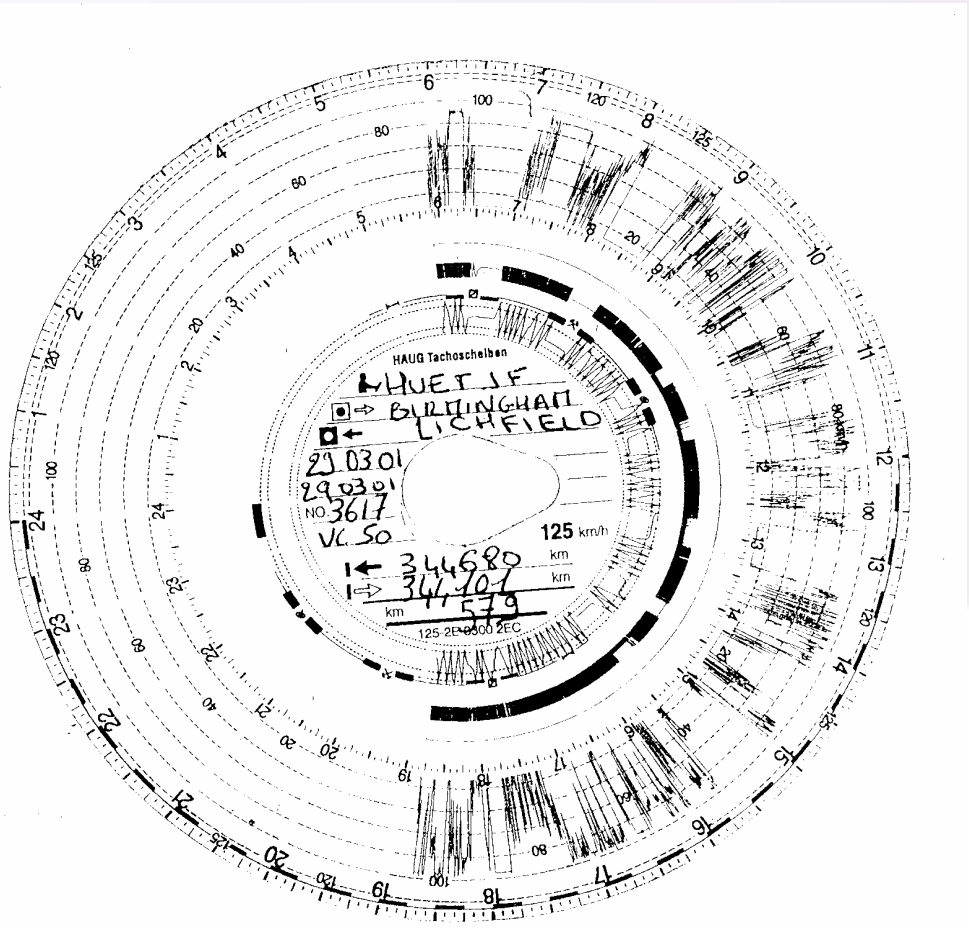


Over the time, the recording equipment evolved and from mechanical became electronic

First generation

Second generation

But both generations are anyway working with paper discs



Nevertheless, it became rapidly clear that analogue tachographs were tampered (paper discs not used, destroyed, withdrawn during journeys, parameters mechanically or electromagnetically altered, etc…).

Whereas experience has shown that the economic pressures and competition in road transport have led some drivers employed by road haulage companies to flout certain rules, particularly those concerning the driving and rest times laid down in Council Regulation (EEC) n° 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport;

Whereas blatant infringements and fraud present a road safety hazard and are unacceptable for reasons of competition for the individual driver who does respect the rules;

[…]

Whereas to put an end to the most common abuses of the present system, it is therefore necessary to introduce new advanced equipment […];

Whereas the total security of the system and its components is essential if recording equipment is to function efficiently;

Recitals 2, 3, 6 and 7 of Regulation (EC) n° 2135/98

The EU legislator decided therefore to introduce a new kind of recording equipment

Encryption of data

AETR Contracting Parties have agreed in Geneva that:

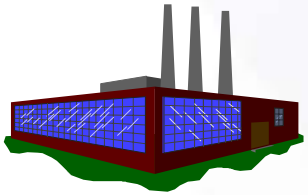
- non EU AETR Contracting Parties will have to accept EU vehicles fitted with digital tachographs and control the drivers using them

- non EU AETR Contracting Parties have until the 16th of June 2010 to introduce the digital tachograph system on their territory

Presentation will focus on the obligations on Belarus in that respect

Obligations of the Contracting Parties' authorities

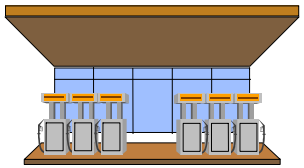
Situation with analogue tachographs



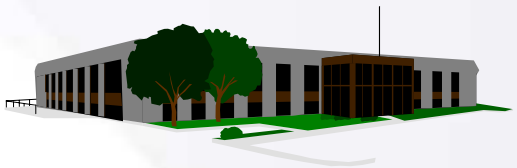
Manufacturers

Type approval

Control bodies



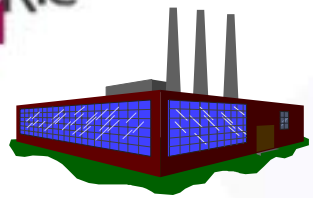
Fitters
Workshops



Transport companies

Drivers

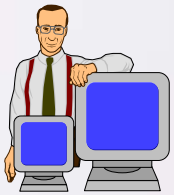
Situation with digital tachographs



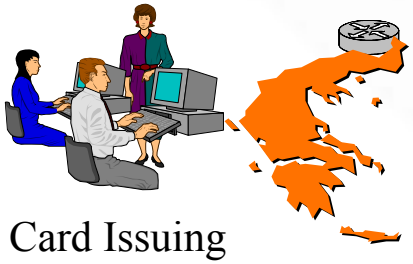
Manufacturers
Card / VU / Sensor

Type approval

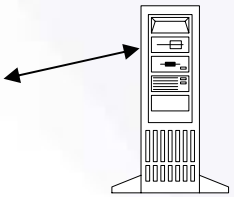
Security
Management



(Security) Personalisation
Card / VU / Sensor



Card Issuing

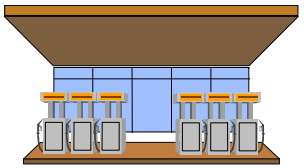


TACHOnet

Data protection

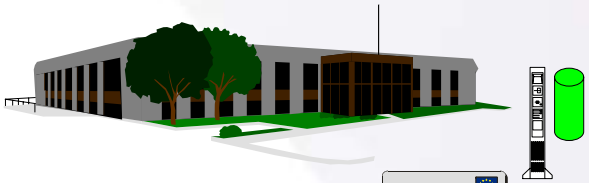
Control
Bodies

Control
Card



Fitters
Workshops

Workshop
Card



Transport companies

Company
Card

Drivers

Driver Card

4. Type approval

- Digital tachographs and tachograph cards are not type approved if they cannot work with all types of tachograph and of tachograph cards already type approved

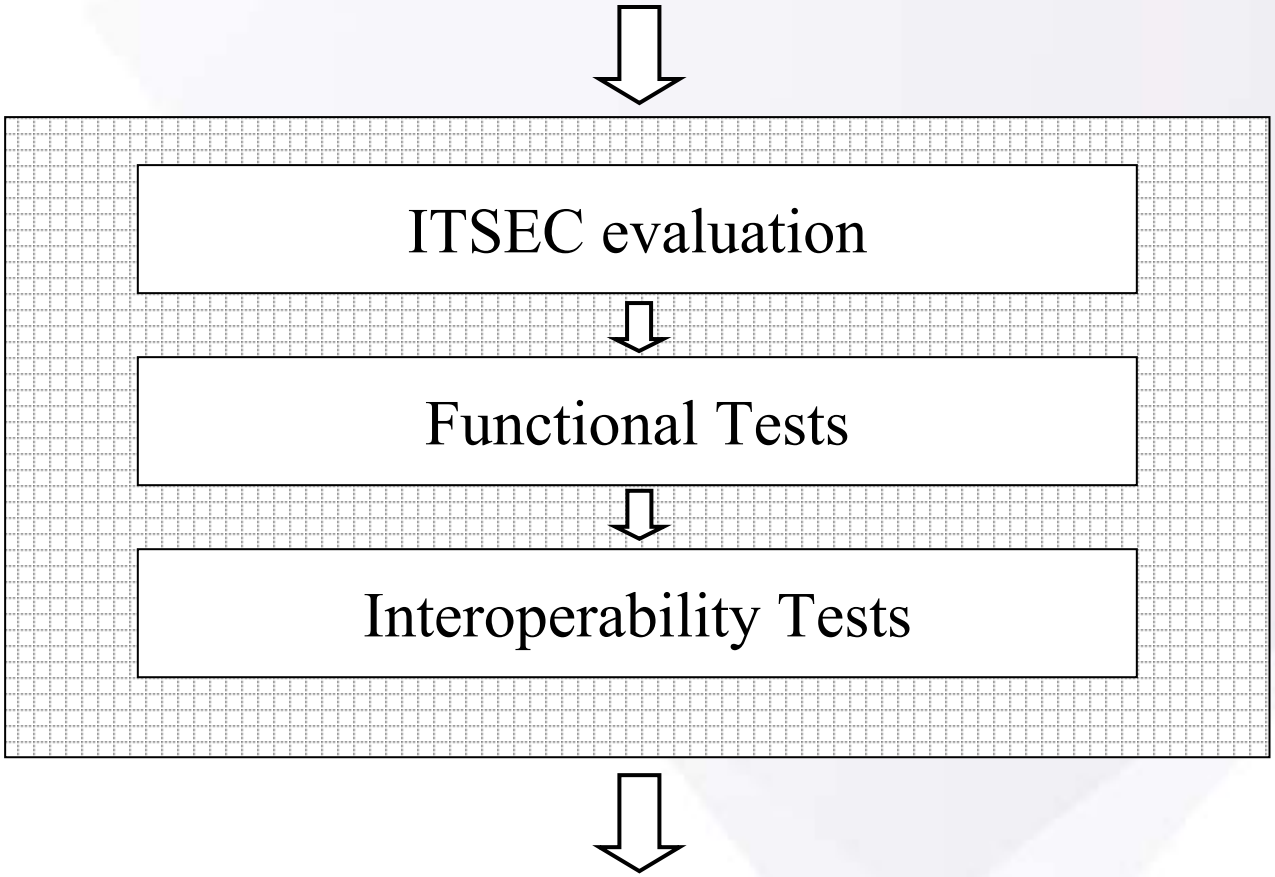
- With analogue tachographs, the situation is different

- They are type approved with a particular type of paper disc

- Therefore, the applicant for a type approval has not anymore to be granted with one certificate, as it is the case with the analogue tachograph, but with four different certificates :

- a functional certificate ;
- a security certificate ;
- an interoperability certificate ;
- a type approval certificate.

Type Approval Tests



Analogue tachographs	Digital tachographs
No type approval required	**Type approval required:** **- either full type approval (functional, security, interoperability and type approval certificates) = develop own cards** **- or simplified procedure = adaptation and type approval of a card already type approved by another Member State**

The list of type approved cards can be found on the following web site:

http://dtc.jrc.it/text/39436108-13.html

Requirement 290 of Appendix 1B of the AETR

The main type approval authorities in the EU are the following:

- Kraftfahrt-Bundesamt - Germany
- Ministry of Industry – France
- Swedish Road Administration – Sweden

Their contact details can be found on the following web site:

http://www.eu-digitaltachograph.org/ContactDisplay.asp

The authorities granting security certificates are (only) the following:

- BSI (Germany): http://www.bsi.bund.de/
- CESG (UK): http://www.cesg.gov.uk/
- DCSSI (France): http://www.ssi.gouv.fr/fr/dcssi/index.html

The authority granting interoperability certificates is (only) the following:

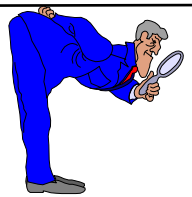
European Commission, DG JRC (Ispra, Italy): http://dtc.jrc.it/text/IOT.html

Requirement 278 of Appendix 1B of the AETR



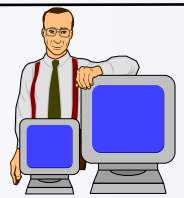
5. Security policy

Global Security Policy
Who / What is involved

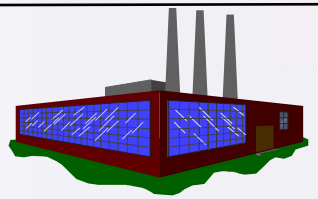


Security Management

Card Issuing



(Security) Personalisation Card / VU / Sensor



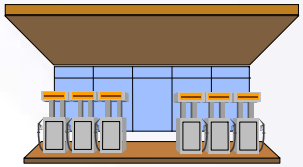
Manufacturers Card / VU / Sensor

Type approval

Control Card

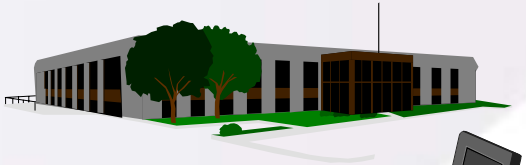
Control Bodies

Workshop Card



Fitters Workshops

Company Card

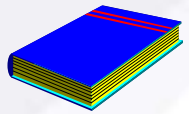


Transport companies

External storage

Test Calibration

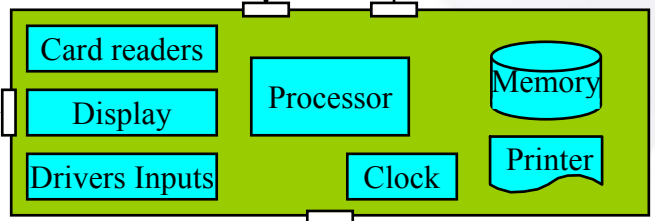
Download



Manual records

Drivers

Driver Card



Sensor

BUS

VU

Contracting Parties have to ensure the maintenance of the system once deployed in the field.

Before being issued with Contracting Parties keys (to be used to cipher cards before they are issued) Contracting Parties have to submit a security policy to the ERCA (European Commission – DG JRC)

Security policy has to be maintained

In simple terms:

- the EU/AETR key has to be used to certify the AETR Contracting Parties' keys
- the AETR Contacting Parties' key has to be used to certify the equipments' and cards' keys
- equipments and keys using these cryptographic keys can then exchange encrypted and therefore secure messages

No security policy = no national key = no possibility to issue and use cards

National authorities need therefore to:

- issue a security policy

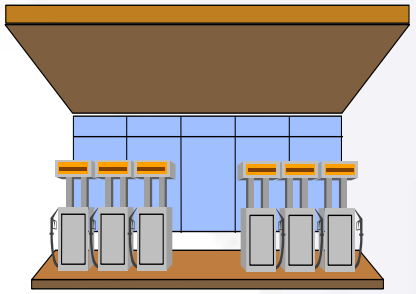
- get it approved by the ERCA

- once approved, it has to be audited and maintained

Timing: from 3 up to 6 months

Work eventually to be done in close cooperation with your smart cards supplier

6. Approval of workshops



The Requirements

All workshops should be approved against two sets of criteria:

- Technical Competence and Facilities
- Suitability of Applicant (Fitters and Workshops)



Technical Competence and Facilities

Appropriate workshop facilities

Appropriate approved equipment

Suitably trained and competent technicians

Other considerations (e.g. health and safety guidelines).

Suitability of Applicant (Fitters and Workshops)

Repute (Honesty and Integrity)

References (Business and Personal)



Workshops are basically approved to carry out:

- Installation (requirement 239)
- Activation (requirement 243)
- Calibration (requirement 248)
- Producing Plaques and Certificates (requirement 249)
- Sealing (electronic) (requirement 251)
- Periodic inspections (requirement 256)
- Downloading (requirement 260)
- Issue Undownloadability Certificates (requirement 261)

Analogue tachographs	Digital tachographs
Approval of workshops	Approval of workshops
Training of fitters	**(New)** Training of fitters
Equipment	**(New)** Equipment
Honesty	Honesty
Premises	**(New)** Premises
	Security
	Data download
	Workshop card management
Audit	Audit

Today: they check the seals

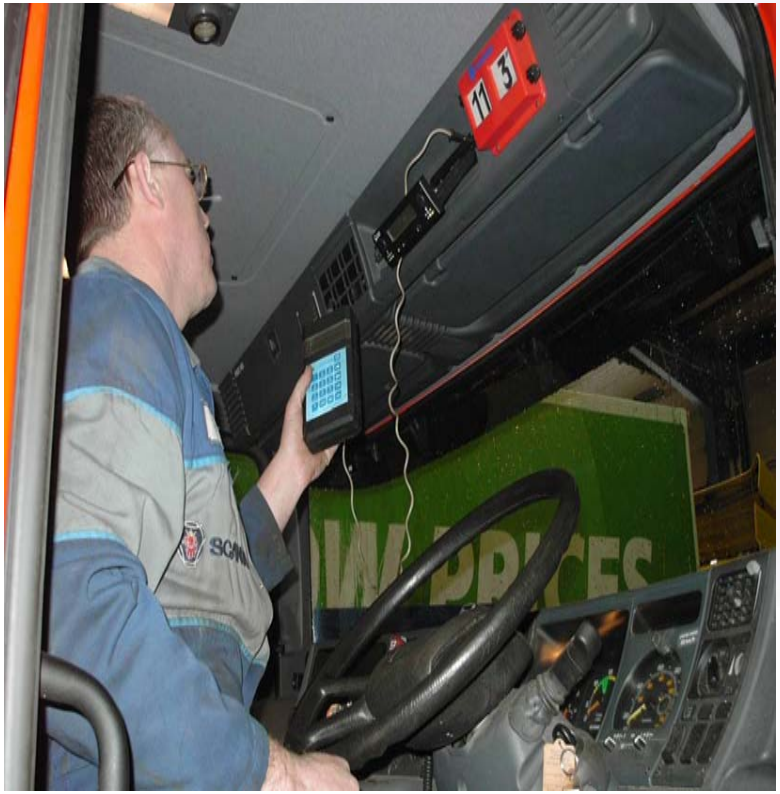
Tomorrow: they check the seals

Today: Data Accuracy

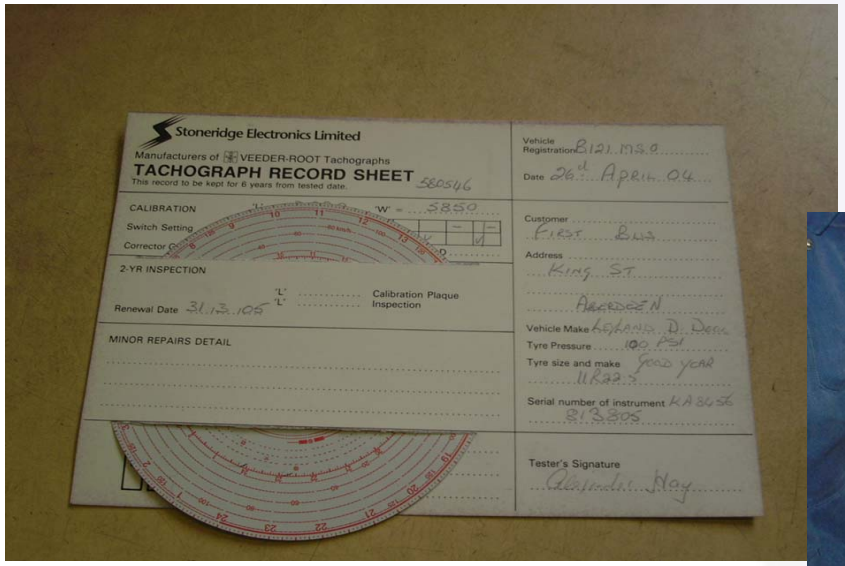
Dates, time, speed, distances, VRN and/or VIN, etc…These data may come from different sources but some of them, at some stages, will need to be calibrated. For example:

- when the recording equipment is installed
- when it is repaired
- when it is regularly checked

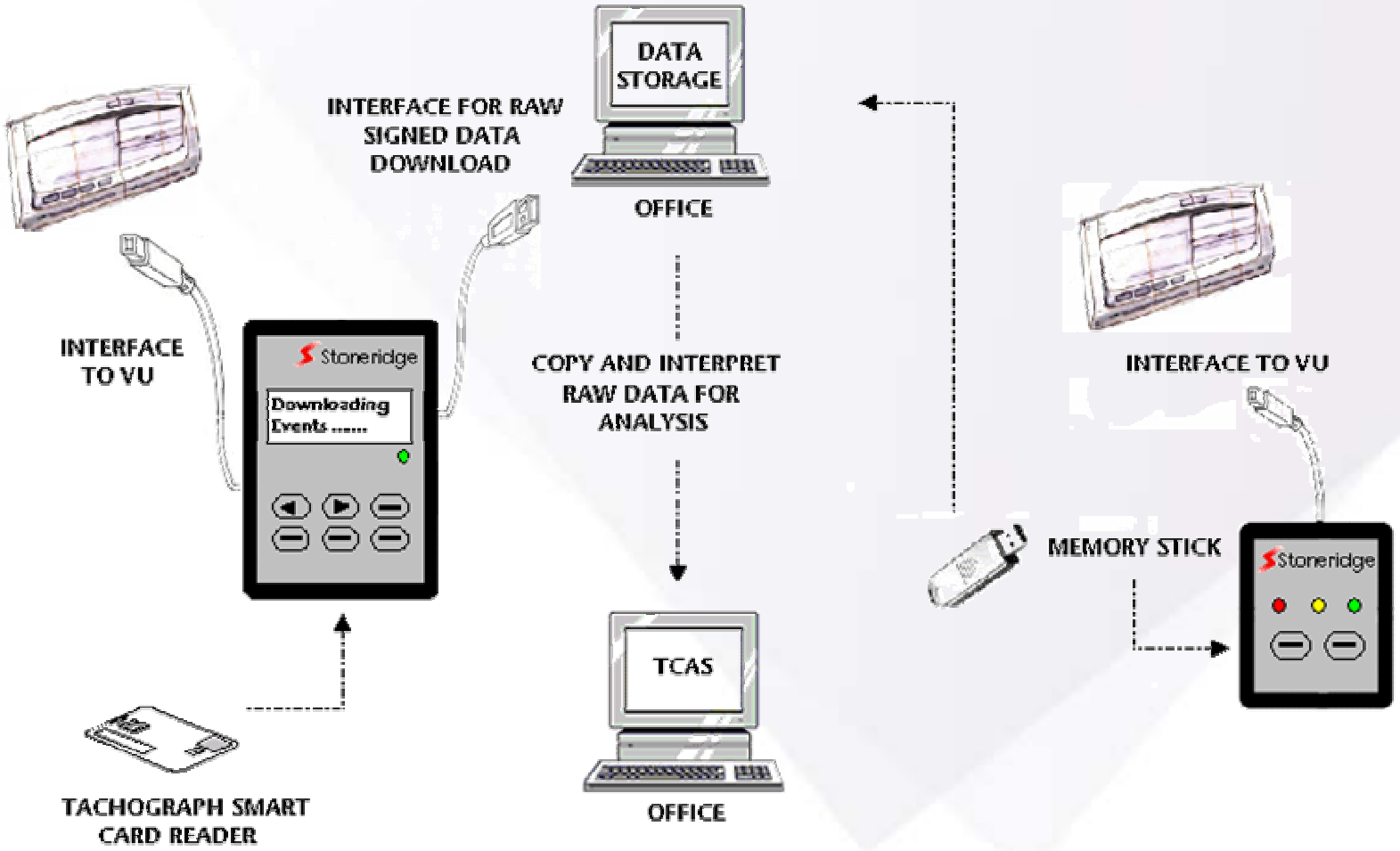
Tomorrow: programming



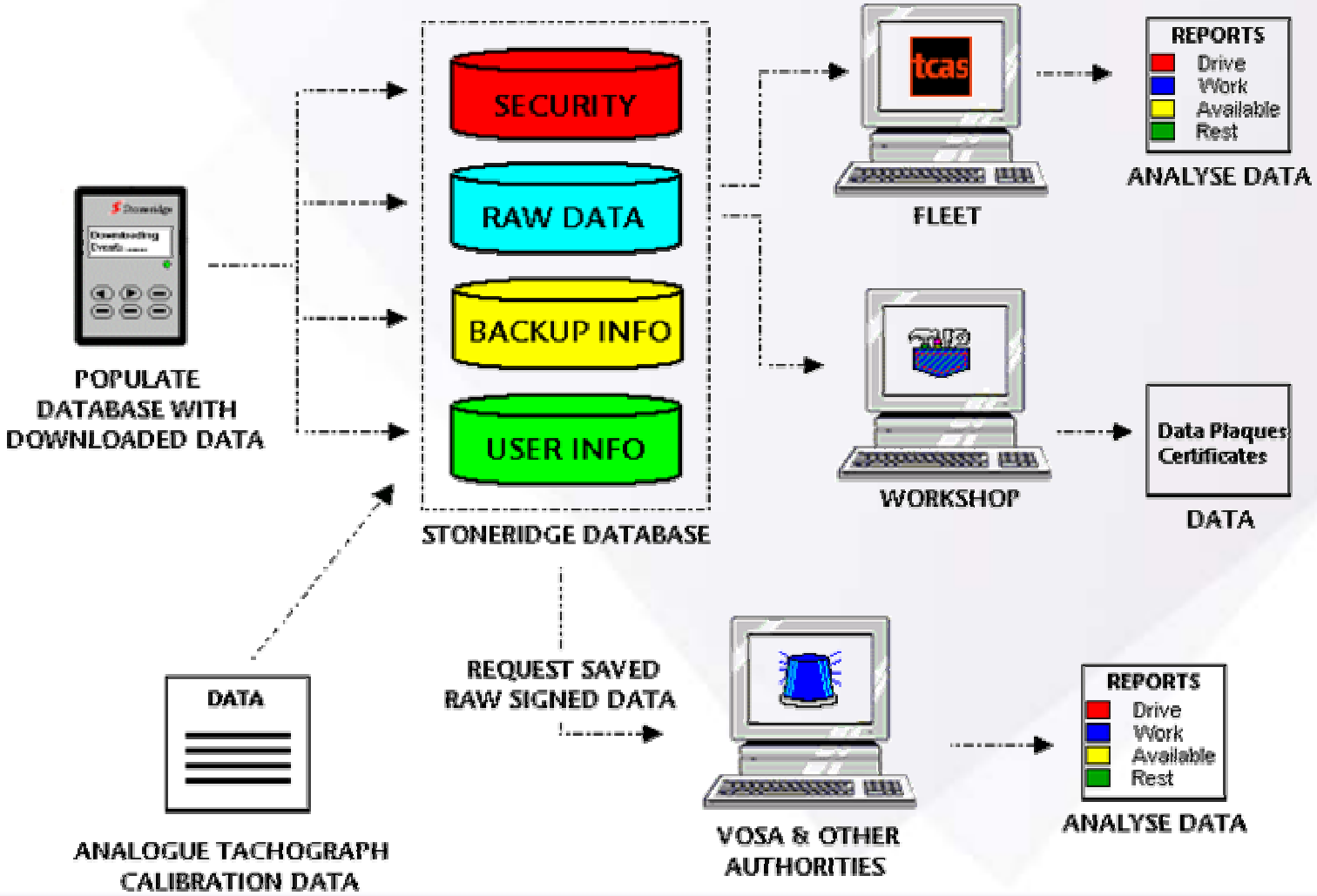
Keep The Records



Keep the data



Legal Database



Coexistence of two systems for workshops

National authorities need therefore to:

- issue or amend their national laws on the approval of workshops

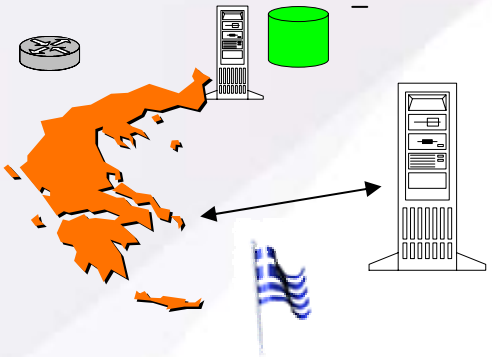
- ensure the proper training of fitters

- ensure to set up a sufficient network of approved workshops at their respective national level

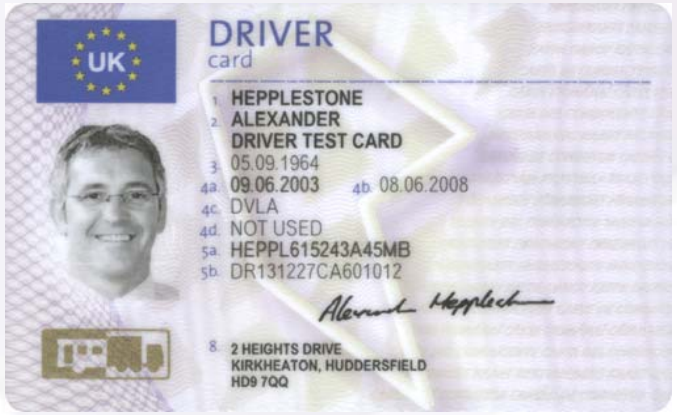
Timing: from 6 up to 16 months

Work to be done in close cooperation with tachograph manufacturers

7. Card Issuing TACHOnet



CARD ISSUING



Driver card

Personalised for use by the Driver

- 5 Year Validity Period
- Holds an average of 28 days data
- Driver must hold one card only

Workshop card

Used by approved tachograph fitters to install, activate, calibrate and download the recording equipment.

- One year validity period
- Personalisation recommended
- Issued with a PIN

Company card

Allows the company to ‘Lock and Download Data’ recorded in the vehicle unit.

Control card

Used by enforcers to carry out roadside compliance checks.

- Personalisation recommended



Card Application Types

First Issue - First application for a tachograph card

Replacement - Issued when a card is lost, stolen or malfunctions

Exchange - Change of administrative data

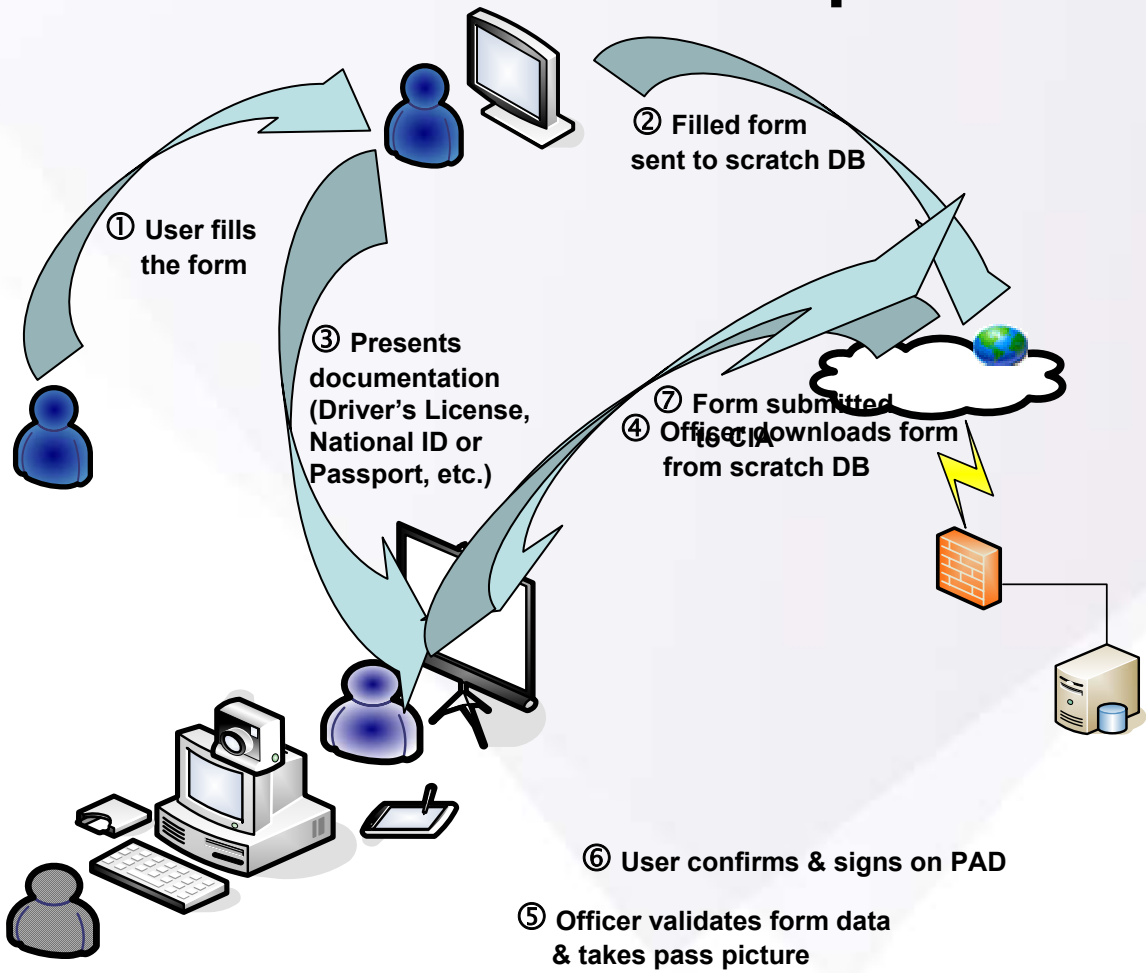
Renewal - Issued when a card is renewed after 5 years

Card Issuing Authority (CIA) Organisation

Centralised - database, application processing system, card personalisation & issue

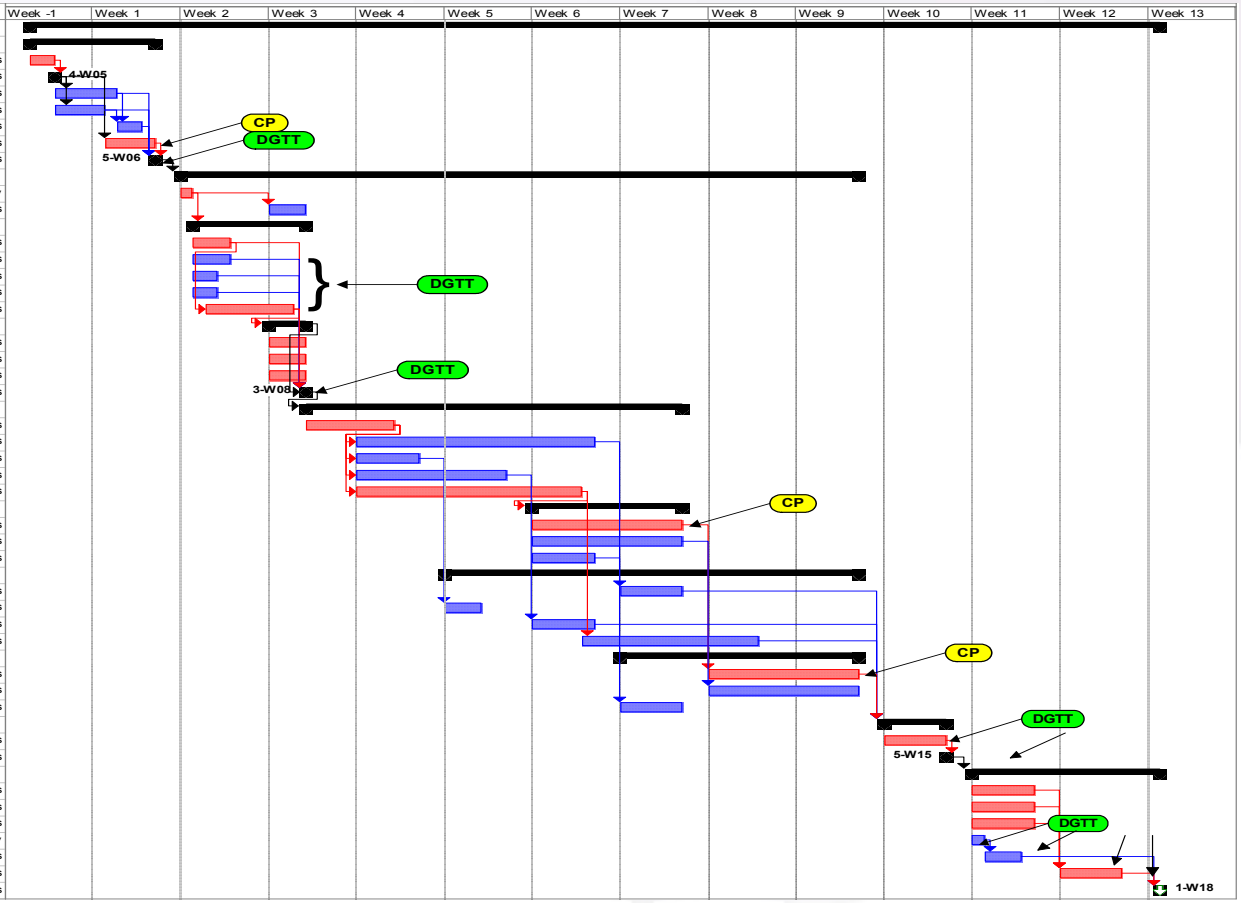
De-Centralised - administrative desks for application processing with centralised database. Card personalisation either from central office or at administrative desks

CIA Front Office Operational concept



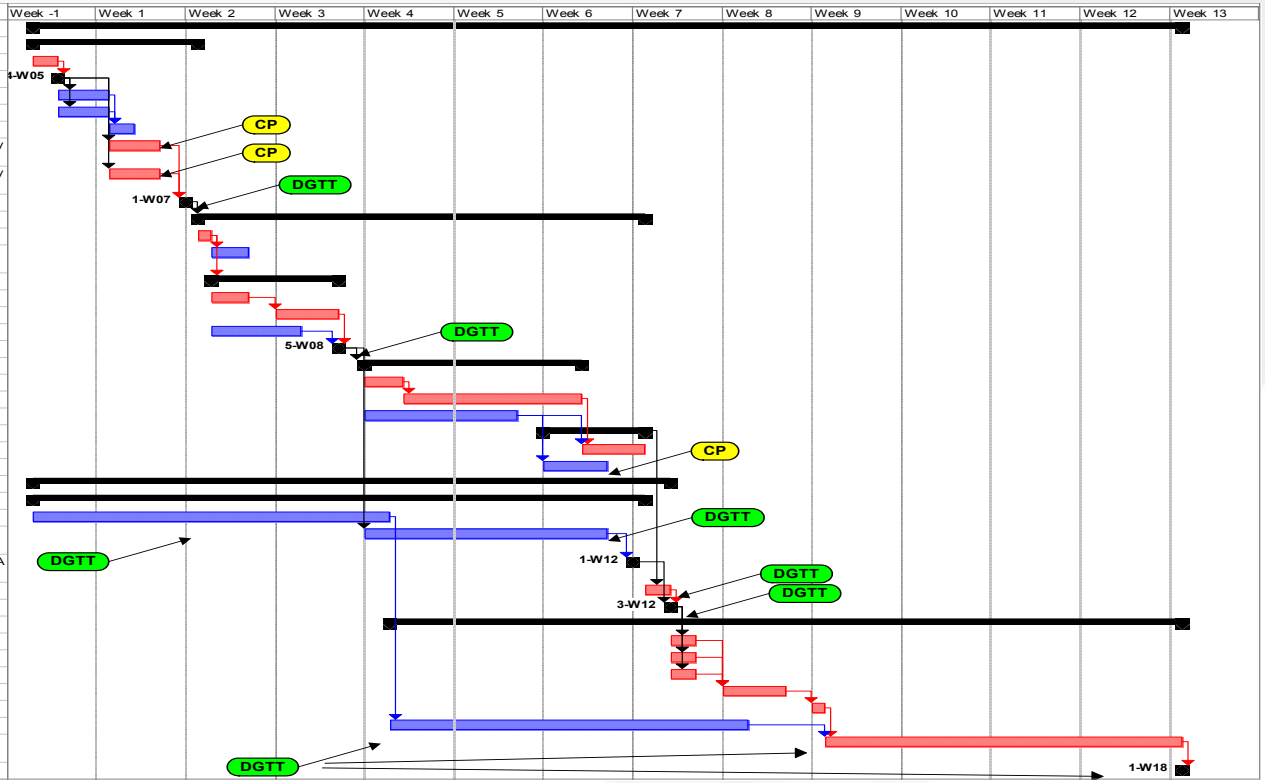
CIA Planning

ID	Task Name	Duration
1	**SPTD CIA**	**64 days**
2	**Pré Projecto**	**8 days**
3	Definição de âmbito e requisitos	2 days
4	(M) Aprovação de âmbito e requisitos	0 days
5	Definição da arquitectura de Software	3 days
6	Definição da arquitectura de Rede	2 days
7	Definição da arquitectura de Hardware	2 days
8	Definição de protocolo de comunicações co	4 days
9	(M) Aprovação do projecto	0 days
10	**Projecto**	**40 days**
11	Definição da equipa de projecto	1 day
12	Instalação de Hardware e Software para De	3 days
13	**Análise e Desenho**	**7 days**
14	Base de dados	3 days
15	Módulo de Atendimento	3 days
16	Módulo de Consultas	2 days
17	Módulo Web	2 days
18	Business Intelligence Engine	5 days
19	**Comunicações (CP/TACHOnet/RNT)**	**3 days**
20	Comunicações com CP	3 days
21	Comunicações com TACHOnet	3 days
22	Comunicações com RNT	3 days
23	(M) Aprovação da análise do sistema	0 days
24	**Desenvolvimento**	**22 days**
25	Base de dados	5 days
26	Módulo de Atendimento	15 days
27	Módulo de Consultas	5 days
28	Módulo Web	10 days
29	Business Intelligence Engine	14 days
30	**Comunicações (CP/TACHOnet/RNT)**	**10 days**
31	Comunicações com CP	10 days
32	Comunicações com TACHOnet	10 days
33	Comunicações com RNT	5 days
34	**Beta Testing**	**25 days**
35	Módulo de Atendimento	5 days
36	Módulo de Consultas	3 days
37	Módulo Web	5 days
38	Business Intelligence Engine	10 days
39	**Comunicações (CP/TACHOnet/RNT)**	**15 days**
40	Comunicações com CP	10 days
41	Comunicações com TACHOnet	10 days
42	Comunicações com RNT	5 days
43	**Teste e Aceitação do Projecto p/ MSA**	**5 days**
44	Testes de aceitação	5 days
45	(M) Aceitação	0 days
46	**Implementação do sistema**	**11 days**
47	Instalação de Hardware - Ambiente de Produ	5 days
48	Instalação de Sofware - Ambiente de Produç	5 days
49	Instalação de Rede	5 days
50	Definição de equipa de atendimento	1 day
51	Formação	3 days
52	Testes de pré-produção	5 days
53	(M) Arranque em produção	0 days



MSCA Planning

ID	Task Name
1	**SPTD MSCA**
2	**Pré Projecto**
3	Definição de âmbito e requisitos
4	(M) Aprovação de âmbito e requisitos
5	Definição da arquitectura de Software
6	Definição da arquitectura de Rede
7	Definição da arquitectura de Hardware
8	Definição de protocolo de comunicações KCR (Key Certification Request) para CP
9	Definição de protocolo de comunicações KDR (Key Distribution Request) para CP
10	(M) Aprovação do projecto
11	**Projecto**
12	Definição da equipa de projecto
13	Instalação de Hardware e Software para Desenvolvimento e Testes
14	**Análise e Desenho**
15	Base de dados
16	Software de certificação
17	Protocolos KCR/KDR
18	(M) Aprovação da análise do sistema
19	**Desenvolvimento**
20	Base de dados
21	Software de certificação
22	Protocolos KCR/KDR
23	**Beta Testing**
24	Software de certificação
25	Protocolos KCR/KDR
26	**Teste e Aceitação do Projecto p/ MSA**
27	**Disposições práticas da MSCA**
28	Definição da política nacional de segurança
29	Definição das Disposições Práticas da MSCA
30	Aprovação das Disposições Práticas pela MSA
31	Testes de aceitação
32	(M) Aceitação
33	**Implementação do sistema**
34	Instalação de Hardware - Ambiente de Produção
35	Instalação de Sofware - Ambiente de Produção
36	Instalação de Rede
37	Testes de pré-produção
38	Geração das chaves nacionais
39	Aprovação da política nacional de segurança
40	Certificação pela ERCA da chave pública nacional
41	(M) Arranque em produção



TACHONET

TACHOnet Project Objectives

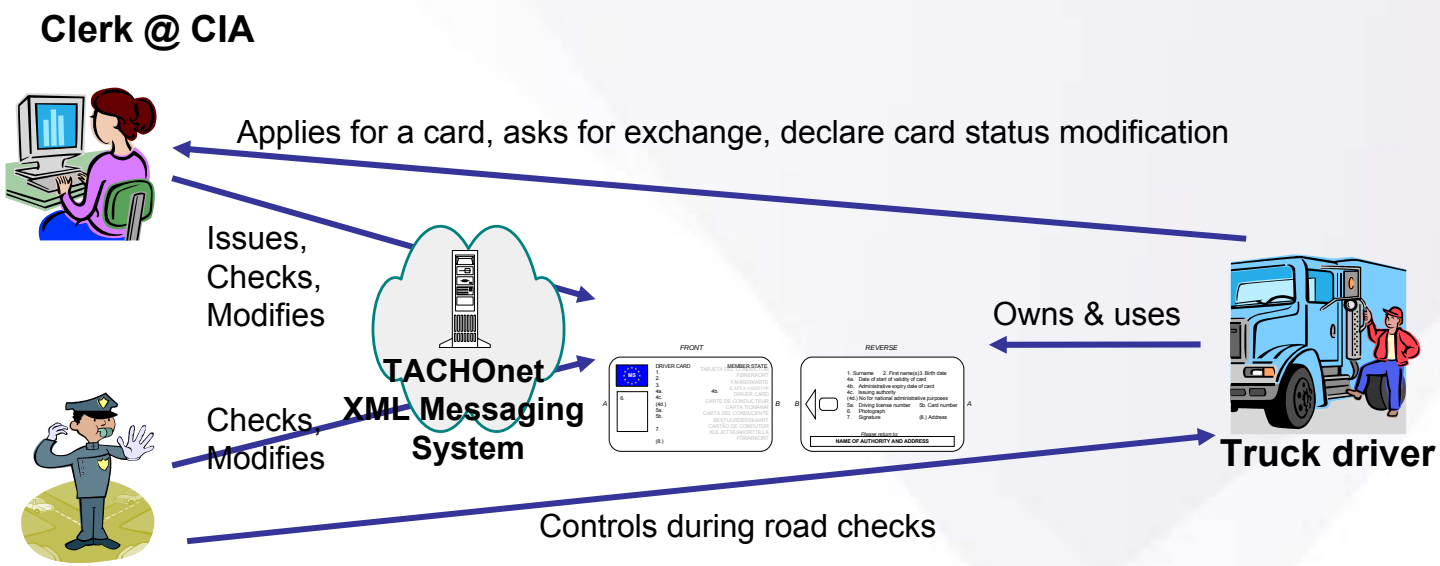
- Create a telematics network aiming at falicitating data exchange between national administrations in charge of issuing tachographs cards

- TACHOnet network:

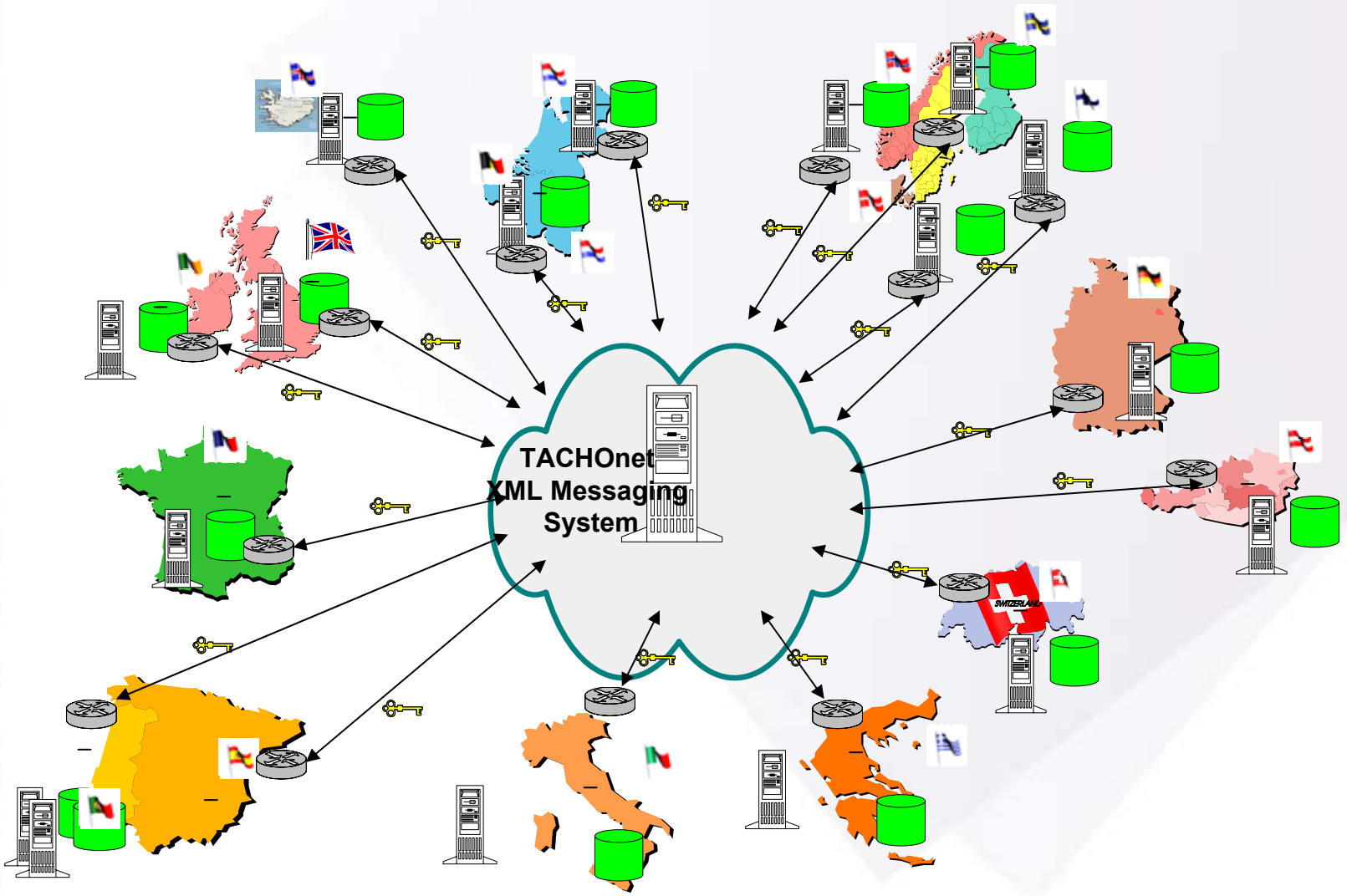
  - ✓ Ensures a reliable and secure exchange of necessary and sufficient data between States issuing tachograph cards
  - ✓ Makes sure the exchange is done within the legal constraints stated in the EU-AETR rules
  - ✓ Imposes only limited constraints on the local systems managing cards in the different States

TACHOnet Business Actors

- Clerks working for National Card Issuing Authorities (CIA)
- Control officers working for National Enforcement Authorities



TACHOnet Architecture



National authorities need therefore to:

- exchange information making sure that they do not issue a card to an applicant who already holds one

- connect to TACHOnet ?

- set up an AETR net to be connected to TACHOnet ?

Timing: ?

Coordination between the EC and the UN/AETR Secretariat highly recommended

Analogue tachographs	Digital tachographs
	- Security management **Security policy** **Security audits** **- Issuing of cards** **- Connection to a net or active exchange of information between AETR Contracting Parties**

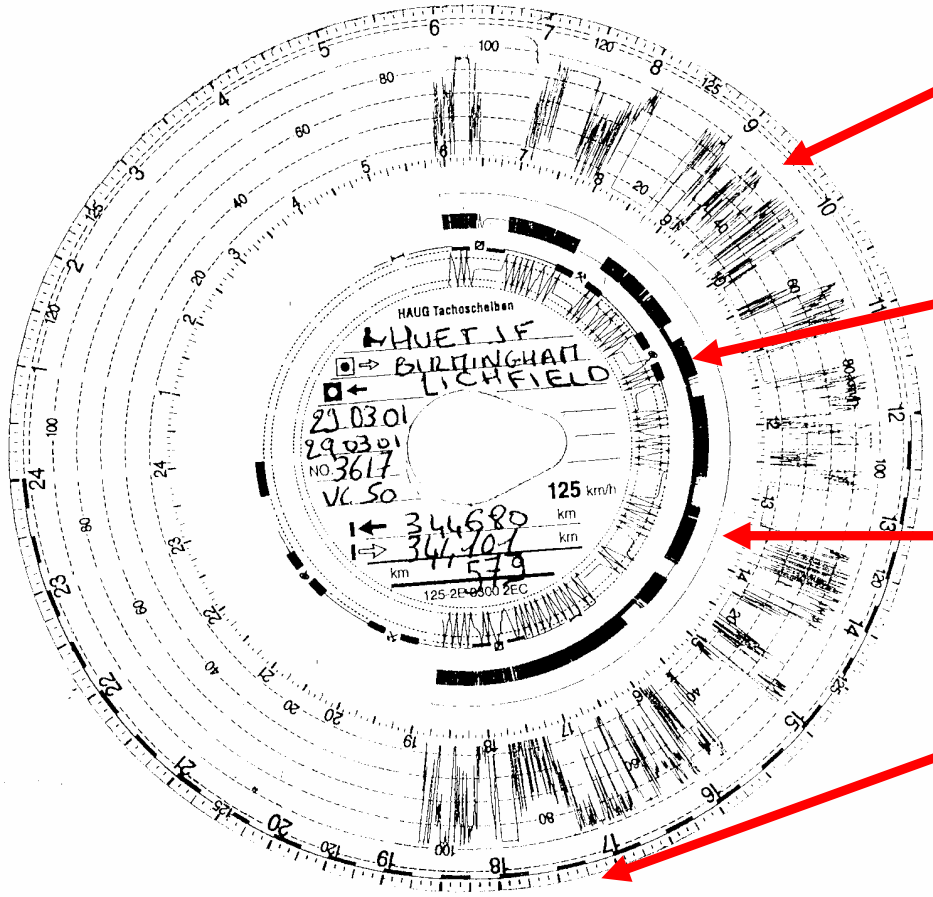
8. Enforcement



Enforcement

With analogue tachographs

Are recorded

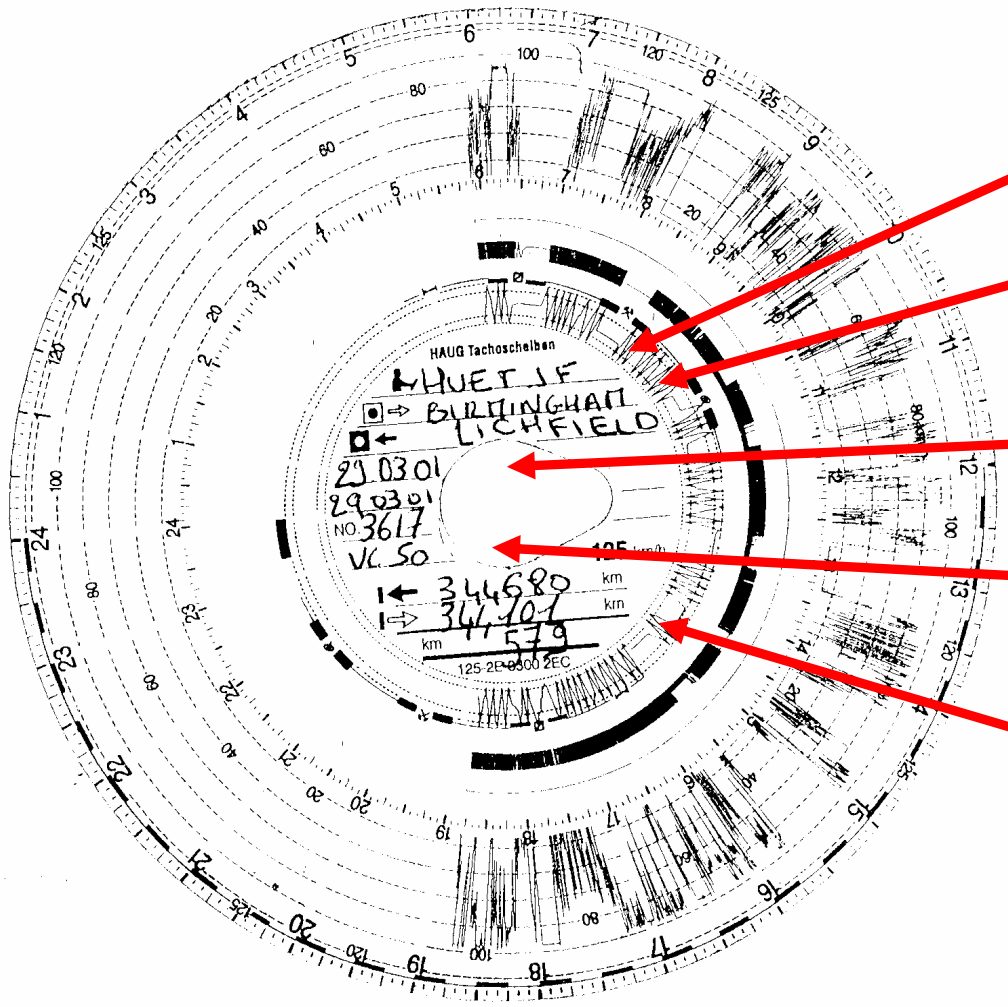


Speed

Distance

Mode of work

Time



Drivers name

Start location

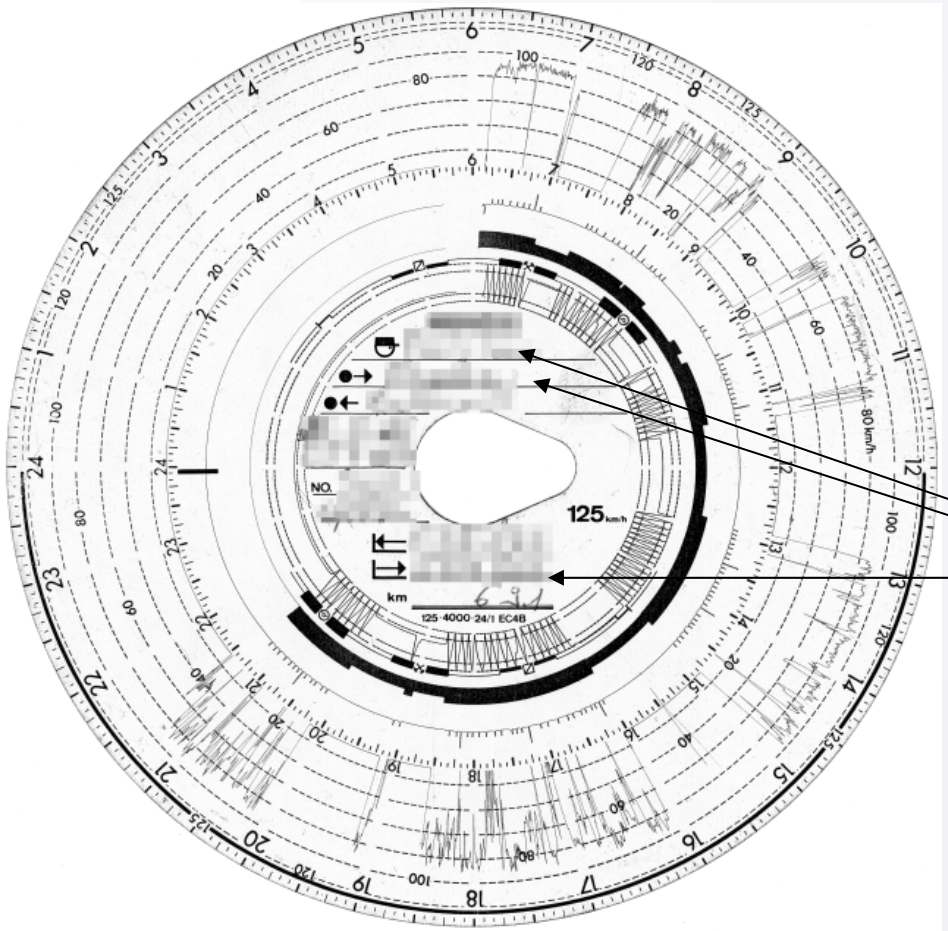
End location

Dates

Vehicle registration

Odometer readings

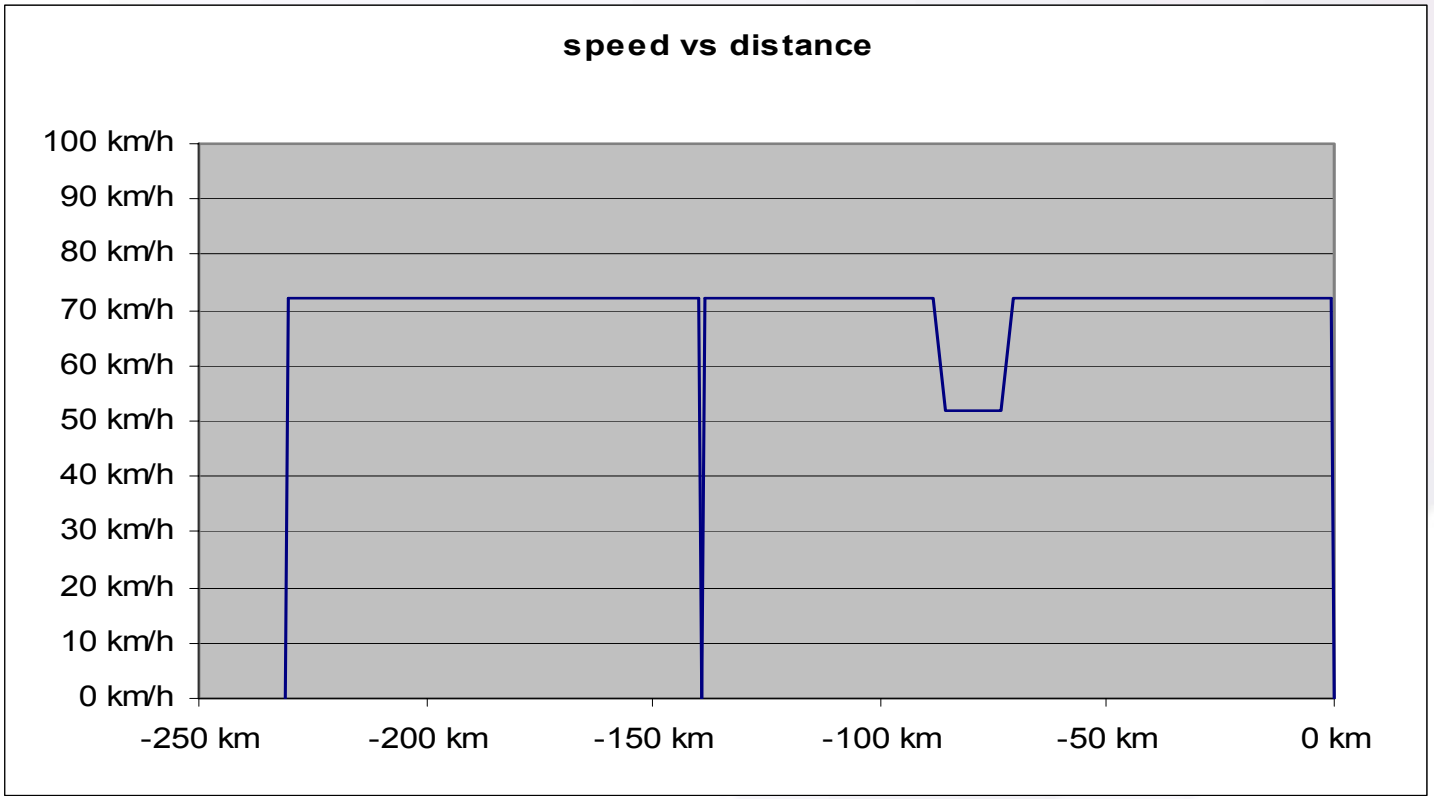
Manipulations can be detected (1)



Odometer Distance is insufficient to match geographical locations

Analogue Distance Trace

Analysis software can also be used one data are scanned (1)



Digital Distance Trace



Enforcement

With digital tachographs

Data can be downloaded by control officers if issued with control cards

Connector

Cable

Control card

Alternative for the control officers to get access to the recording equipment's and card's data : printouts

6 types of print-outs, which can be selected through the recording equipment :

- 2 relate to the drivers' activities: one comes from the recording equipment, the other one from the driver card;
- 2 relate to the events and faults: one from the recording equipment, the other one from the driver card;
- 1 concerns the technical data (vehicle, recording equipment, etc…);
- 1 concerns the over speeding.

Example: drivers' activities stored on the driver's card

▼ 15/10/1997 15:15 (UTC)	1	Printing - Date & Time (UTC)
----------▼----------		Delimiter Print-out general information
# DavidFish	2	Controller - Name
#▪B/4803992633		Controller - Card Number
#✦	3	Control Place (Hand written)
▪▼14/10/1997	4	Type of Print-Out (Card) & Enquiry date
▫ WALSTER	5	Driver - Last Name
Nick D.		Driver - First Name
▫▪GB/135798642	6	Driver Card - Number
14/05/2004		Driver Card - Expiry Date
▲ XAD1117483A	7	Vehicle - VIN
B/PV1772		Vehicle - Nation + VRN
Tacho-Manufacturer	8	Tachograph - Manufacturer Name
Tacho-Part-Number		Tachograph - Part Number
▼ Workshop-Name		Last Inspection/Calibration - Workshop Name
▼▪GB/159482637		Workshop Card Number
▼ 05/03/1997		Date

----------▯----------		Delimiter driver information
? 00:00 06:17 06h18		9 Card not inserted. Activity unknown
----------		10 Card insertion
B/PV1772		Insertion in VRN No
42000 km		Odometer at card insertion
06:18 07:42 01h25		11 Detailed activities with
07:43 07:53 00h11		Start Time, End Time, Duration
07:54 08:00 00h07		
42010 km; 10 km		12 Odometer, Distance travelled at Card withdrawal
----------		10 Card insertion
B/PV1772		Insertion in VRN No
42010 km		Odometer at card insertion
08:01 08:13 00h13		11 Detailed activities
08:14 11:20 03h07		
11:21 12:33 01h13	*	Rests above 1 hour marked with a star
42263 km 253 km		12 Odometer, Distance travelled at Card withdrawal
? 12:34 14:11 01h38		9 Card not inserted. Activity unknown
----------		10 Card insertion
B/HKG264		Insertion in VRN No
81000 km		Odometer at card insertion
14:12 16:03 01h52		11 Detailed activities
16:04 18:00 01h57		
18:01 18:01 00h01		
81111 km; 111 km		12 Odometer, Distance travelled at Card withdrawal
? 18:02 23:59 05h58		9 Card not inserted. Activity unknown

----------Σ----------	Summary information
✦⚒06:19 F	13 Start daily work time Country/Region Odometer
⚒✦18:00 E CAT	End daily work time Country/Region Odometer
⊜ 04h59 374 km	14 Activity totals
⚒ 03h42 ⧄ 00h11	
⊢ 01h14 ? 13h54	
▯2 05h25	15 Duration of crew status
----------!▬✖----------	16 Delimiter Cards Events and Faults
!S12/09/1997 18:24	Event Security breach attempt
!⏚12/09/1997 18:23	Event Power supply interruption
----------!▲✖----------	17 Delimiter Vehicle Unit Events and Faults
!∩05/09/1997 06:35	Event Sensor interruption
▯▬IT/836254363	Driver Card Number
✖▲21/08/1997 12:45	Fault VU
▯▬---	No card inserted
✖▼21/08/1997 12:46	Fault Printer
▯▬---	No card inserted

▯	18 Driver's signature
#	19 Controller's signature

Data analysis

Analogue tachographs	Digital tachographs
- Roadside checks - Company checks based on paper discs	- Roadside checks - Company checks based on paper discs **based on print-outs** **based on digital data** **New equipments required** **Control cards to be issued** **Specific training to be supplied**

National authorities need therefore to:

- issue laws to allocate control officers with new powers, to regulate data download, to define under which conditions electronic data can be used before Courts, etc…

- train their control officers

- equip them appropriately

Timing: (6 to 24 months)

National authorities should seek support from EU Member States and manufacturers



9. Data protection

Data protection

- The digital tachograph falls under the scope of data protection rules for different reasons :

- The digital tachograph **records and stores digital data** concerning individuals (mainly drivers) as well as legal persons (transport companies and approved workshops)

  See requirements 73 to 105 b of AETR Appendix 1B

Data protection

- **<u>These data are accessible</u>** in different ways, depending on whether or not tachograph cards are used, and in case tachograph cards are used, depending on the type of cards that is used (driver, company, control or workshop cards) and of the mode of operation of the tachograph

See requirements 007 to 11 of the AETR Appendix 1B

Data protection

- These data are also **downloaded** and can also be **transferred** for freight and fleet management, but also for enforcement purposes

See requirements 149 to 151 of AETR Appendix 1B

Data protection

- Finally, the digital tachograph **records and stores data on tachograph cards**, to be issued to the different persons submitted to the provisions of the AETR

See requirements 108 to 112 of the AETR Appendix 1B

- Each tachograph card contains data, that are accessible in different ways regulated notably and mainly by the AETR as far as enforcement is concerned

  See requirements 194 to 212 b of the AETR Appendix 1B for the driver card

  See requirements 213 to 230 a of the AETR Appendix 1B for the workshop card

  See requirements 231 to 234 of the AETR Appendix 1B for the control card

  See requirements 235 to 238 of the AETR Appendix 1B for the company card

Data protection

- These data, their recording, their storage, the way they can be accessed, their transfer and their use fall under the scope of the data protection rules (if any in the non EU-AETR Contracting Parties)

- Therefore, Contracting Parties which have to implement the amendments to the AETR shall make sure that their implementation scheme does not contradict their data protection rules

Analogue tachographs	Digital tachographs
Data protection No or few requirements	Data protection **Digital tachograph's and tachograph cards' data are submitted to data protection rules (if any)**

10. Risk management

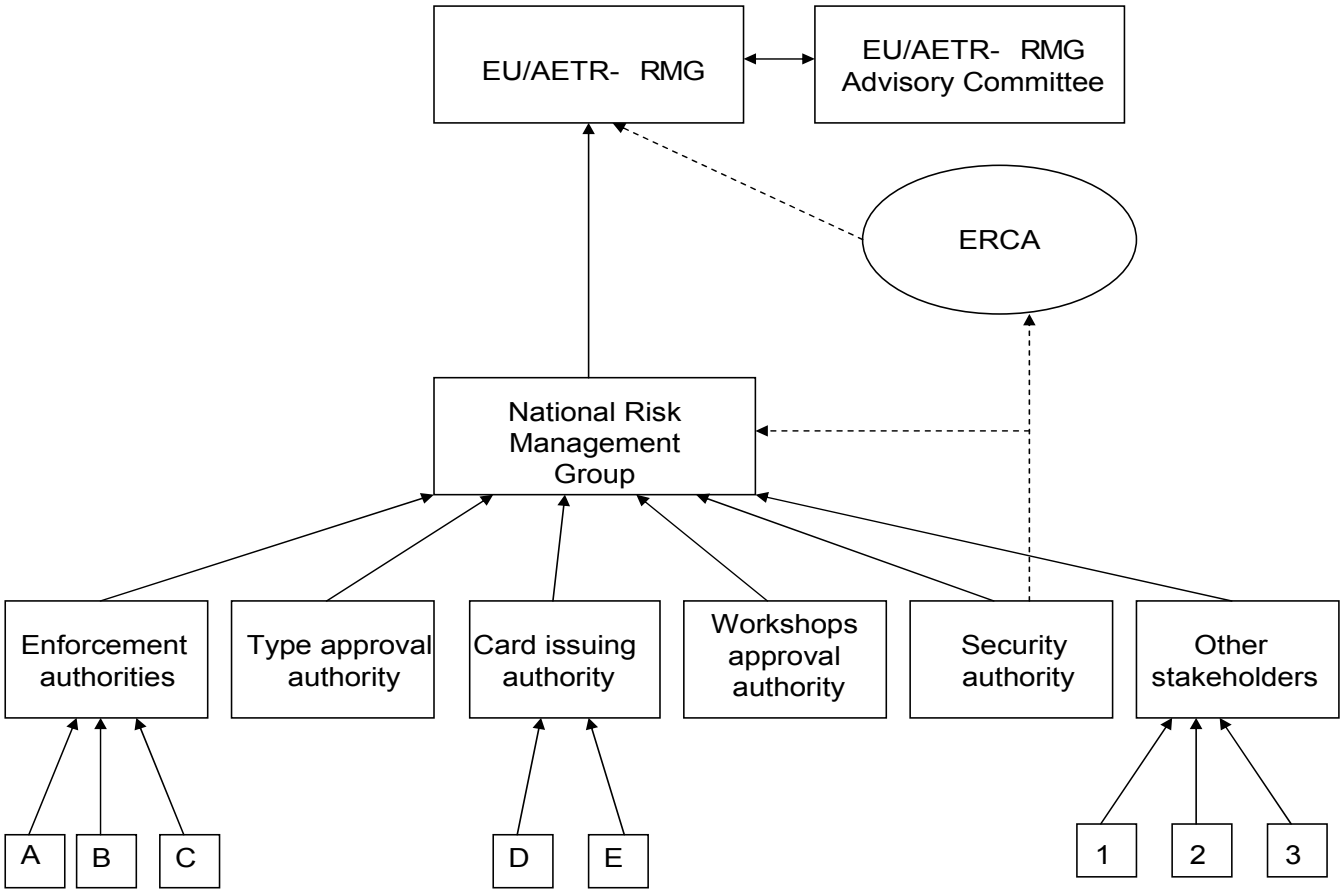
Point 5.3.38 of the ERCA policy states that:

The MSA shall establish an information security management system (ISMS) based on risk assessment for all the operations involved.

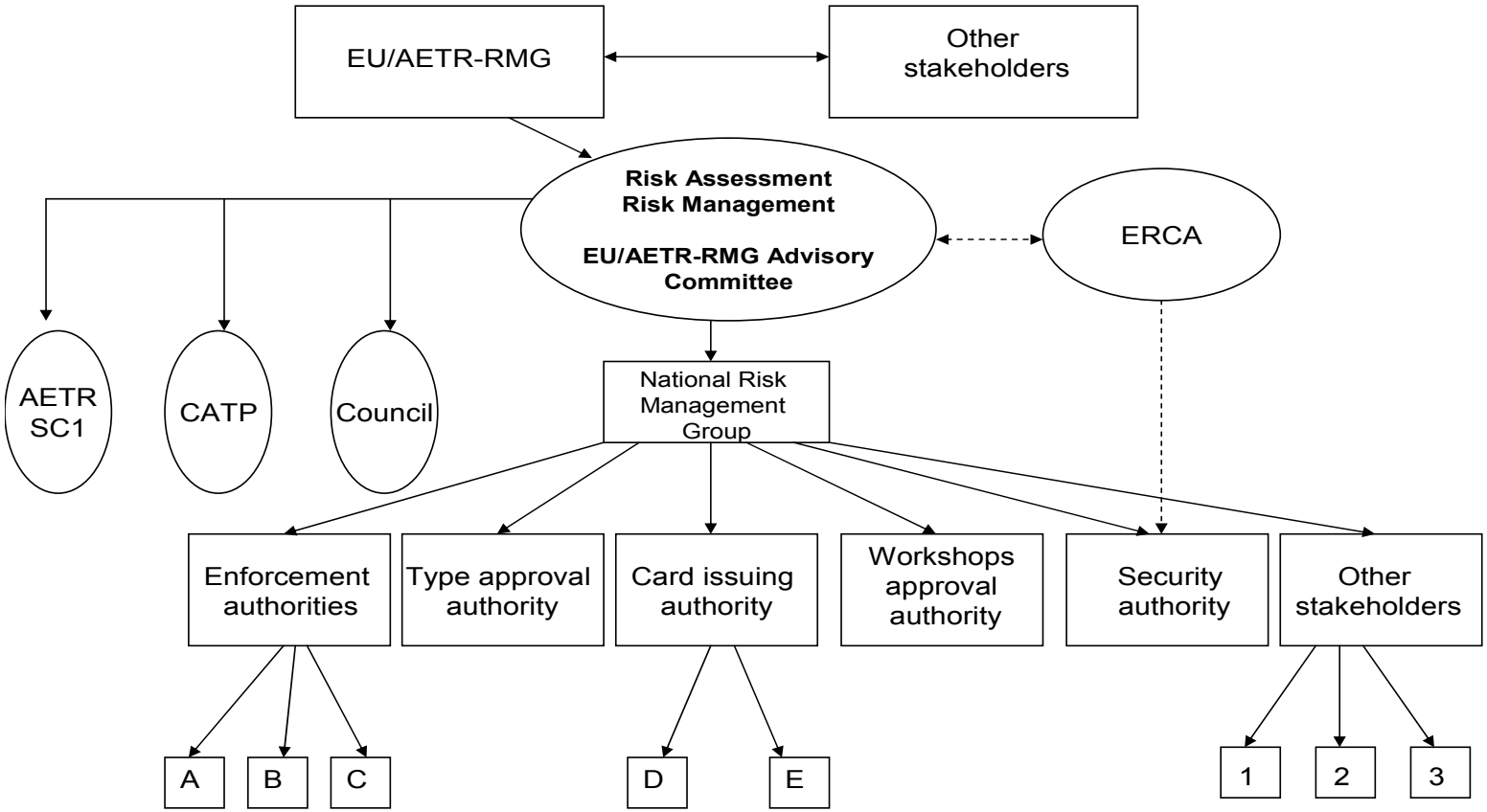
The ERCA does not cover the overall security of the digital tachograph system

→ Risk management

From national authorities to the EU/AETR-RMG



From the EU/AETR-RMG to national authorities



Analogue tachographs	Digital tachographs
Risk management	Risk management
No requirement	**Policy to be implemented and maintained**

National authorities need therefore to:

- put in place a national risk management policy

- nominate responsible bodies/persons

- maintain this policy

Timing: (2 to 6 months)



11. Conclusion

Overview
of the Project Organisation

Steering Committee

Per-Arne HOLM (S)
Leo HUBERTS (EC)
Hanna ZELICHOWSKA (Poland)
Andrew KELLY (UK)
Hans DRIJER (Netherlands)
Thierry GRANTURCO (MIDT Team)

Per-Arne HOLM
(Sweden)
Project Leader

Leo HUBERTS
EC
Project Officer

MC BONNAMOUR
L. WALDNEROVA

Project Managers

Help desk

Training & Communication actions

Support to the new Member States

Support to the AETR countries

Plenary

Card issuing and networking Committee

Hanna ZELICHOWSKA
(Poland)

T. GRANTURCO
President

Implementation policy Committee

Andrew KELLY
(UK)

T. GRANTURCO
President

Drivers' hours' and tachograph Enforcement Committee

Hans DRIJER
(Netherlands)

T. GRANTURCO
President

TACHOnet User Group

Chairman: **EC-DG Tren**

Coordinator: A. LALE

Risk Management

Chairman: **EC-DG Tren**

Coordinator: A. LALE

Help desk in 3 languages (EN, FR, G)

www.eu-digitaltachograph.org

THANK YOU VERY MUCH FOR YOUR ATTENTION