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Economic Commission for Europe

Inland Transport Committee

Working Party on Road Transport

List of decisions of the special session of Working Party on Road Transport (22-23 April 2010)

1 The Working Party on Road Transport (SC.1) met on 22–23 April 2010 in a special session dedicated to the implementation of digital tachograph.

2. The European Union stated that:

(a) The Member States of the European Union reconfirm that the deadline of 16 June 2010 for the implementation of the digital tachograph in the AETR forms an integral part of the agreement and cannot be extended.

(b) Taking into account time constraints in the timely issuance of cards to all parties concerned (drivers, companies, workshops and control authorities) by some of the Contracting Parties to the AETR, the Member States of the European Union are fully committed to support the phasing-in of the digital tachograph in the AETR area. Therefore, the enforcement bodies of the EU Member States are ready to show flexibility until 31 December 2010 if driver cards are not yet available.

(c) During this period, print-outs from a duly calibrated digital tachograph will be accepted for controlling purposes, provided that the procedure agreed in the "tolerance package" is fully respected. As soon as a driver is in possession of a driver card, it will have to be used.

3. All Contracting Parties present in the meeting expressed their support for the "tolerance package" proposed by the Ad hoc group of Experts for the implementation of the Digital Tachograph by non-EU Contracting Parties to the AETR on 26 February 2010.

4. SC.1 took note of the position on the digital tachograph expressed by the General Assembly of the International Road Transport Union (IRU).

5. The Working Party took note of the progress made in implementing the digital tachograph by the Contracting Parties to AETR and invited them to inform the Secretariat constantly and regularly of the status of digital tachograph implementation.

6. The Working Party approved the measures to be applied during the tolerance period with respect to the implementation of digital tachograph by the Contracting Parties to the

European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), of 1970 as reproduced in the annex to the present list of decisions.

Annex

Measures to be applied during the tolerance period with respect to the implementation of digital tachograph by the Contracting Parties to the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), of 1970

The special session of the Working Party on Road Transport (SC.1) held on 22-23 April 2010 noted the progress made by the Contracting Parties to the AETR and came to the conclusion that the timely compliance with the deadline of 16 June 2010 to fully implement the digital tachograph may not be possible in all of those Contracting Parties.

Since the deadline for introducing the digital tachograph cannot be postponed, the following measures are proposed:

1. Calibration of vehicles already registered and equipped with digital tachographs:

In case workshop cards are not yet issued by the Contracting Party, vehicles registered in that country shall be activated and calibrated at an authorized workshop during the first trip falling under the AETR in the first country through which they pass that has the capability to do so. Drivers shall carry a proof of an appointment with the first workshop to carry out the calibration (e.g. a confirmation by e-mail or letter).

2. Proof of compliance with driving time and rest period rules during the days preceding the journey

Drivers who have not yet received their driver cards from the authorities of the AETR Contracting Party must be able to prove their compliance with the rules by print-outs, record sheets, Attestation of activities, in accordance with the procedure foreseen by the provisions of the AETR. The procedure for print-outs is as follows:

- i. At the start of his journey, the driver shall print out the details of the vehicle he is driving, and enter onto that printout:
 - Details that enable the driver to be identified (name and number of his driving licence), including his signature;
 - The periods referred to in article 12, paragraph 3, second indent, points (b), (c) and (d) of the Annex to AETR:
 - all other periods of work
 - other periods of availability, namely: waiting time, i.e. the period during which drivers need to remain at their posts only for the purpose of answering any calls to start or resume driving or to carry out other work; time spent beside the driver while the vehicle is in motion; time spent on a bunk while the vehicle is in motion;
 - breaks in work and daily rest periods.
- ii. At the end of his journey, the driver shall print out the information relating to periods of time recorded by the control device, record any periods of other work, availability and rest undertaken since the printout that was made at the start of the journey, where not recorded by the tachograph, and mark on that document details that enable the driver to be identified (name and number of his driving licence), including his signature.

3. Proof of compliance with driving time and rest period rules during the journey

Drivers who have not yet received their driver cards from the authorities of the AETR Contracting Party must be able to prove their compliance with the rules by print-outs according to the procedure foreseen under point 2 above.

These measures provide for the possibility to allow drivers of vehicles registered in a Contracting Party unable to issue cards within the deadline set in the AETR to use the vehicle with a calibrated digital tachograph without a driver's card until such time when the government can carry out these requirements but not later than 31 December 2010.

This tolerance in enforcement of the driving time and rest period rules applies until 31 December 2010 at the latest.

Wherever possible, the manufacturer of the vehicle shall ensure that the digital tachograph has been activated before it is used for a trip falling under the AEGR, including at the place of its installation, for each sold vehicle equipped with a digital tachograph, if the buyer is from a country where the cards are not available.