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 Organisations in Road Transport Enforcement

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  Bosnia and Herzegovina
Bulgaria  Croatia
Cyprus  Georgia
Czech Republic  Iceland
Denmark  Montenegro
Estonia  Norway
Greece  Serbia
Hungary  Ukraine
Ireland
Latvia
Luxembourg
Malta
Romania
Slovakia
Slovenia
Spain
Sweden
The Netherlands
UK

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
**Full members:**

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”

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
EU rules
AETR rules
AETR rules
AETR rules
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.
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.
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

- Card Issuing
  - TACHOnet

- Fitters Workshops
  - Workshop Card

- Transport companies

- Security Management

- Data protection

- Control Bodies
  - Control Card

- (Security) Personalisation
  - Card / VU / Sensor

- Company Card

- Drivers
  - Driver Card

- Situation with digital tachographs
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

- ITSEC evaluation
- Functional Tests
- Interoperability Tests

Type approval
<table>
<thead>
<tr>
<th>Analogue tachographs</th>
<th>Digital tachographs</th>
</tr>
</thead>
<tbody>
<tr>
<td>No type approval required</td>
<td><strong>Type approval required:</strong></td>
</tr>
<tr>
<td></td>
<td>- either full type approval (functional, security, interoperability and type approval certificates) = develop own cards</td>
</tr>
<tr>
<td></td>
<td>- or simplified procedure = adaptation and type approval of a card already type approved by another Member State</td>
</tr>
</tbody>
</table>
The list of type approved cards can be found on the following web site:


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](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
Download
Manual records
Drivers
Driver Card
Sensor
BUS
VU
Card readers
Display
Drivers Inputs
Processor
Clock
Memory
Printer
Download
Test Calibration
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

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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)
<table>
<thead>
<tr>
<th>Analogue tachographs</th>
<th>Digital tachographs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval of workshops</td>
<td>Approval of workshops</td>
</tr>
<tr>
<td>Training of fitters</td>
<td><strong>(New)</strong> Training of fitters</td>
</tr>
<tr>
<td>Equipment</td>
<td><strong>(New)</strong> Equipment</td>
</tr>
<tr>
<td>Honesty</td>
<td>Honesty</td>
</tr>
<tr>
<td>Premises</td>
<td><strong>(New)</strong> Premises</td>
</tr>
<tr>
<td>Audit</td>
<td><strong>Security</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Data download</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Workshop card management</strong></td>
</tr>
<tr>
<td></td>
<td>Audit</td>
</tr>
</tbody>
</table>
Today: they check the seals
Tomorrow: they check the seals

Example of a motion sensor seal
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
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

1. User fills the form
2. Filled form sent to scratch DB
3. Presents documentation (Driver's License, National ID or Passport, etc.)
4. Officer downloads form from scratch DB
5. Officer validates form data & takes pass picture
6. User confirms & signs on PAD
7. Form submitted to CIA

Form submitted to CIA
CIA Planning

<table>
<thead>
<tr>
<th>Task Name</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPTD CIA</td>
<td>64 days</td>
</tr>
<tr>
<td>Pré Projecto</td>
<td>8 days</td>
</tr>
<tr>
<td>Definição de âmbito e requisitos</td>
<td>2 days</td>
</tr>
<tr>
<td>Definição da arquitetura de Software</td>
<td>3 days</td>
</tr>
<tr>
<td>Definição de protocolos de comunicações</td>
<td>4 days</td>
</tr>
<tr>
<td>Definição da arquitetura de Hardware</td>
<td>2 days</td>
</tr>
<tr>
<td>Definição da arquitetura de Rede</td>
<td>2 days</td>
</tr>
<tr>
<td>Definição da equipe de projeto</td>
<td>1 day</td>
</tr>
<tr>
<td>Instalação de Hardware e Software para Det</td>
<td>3 days</td>
</tr>
<tr>
<td>Análise e Melhoria</td>
<td>7 days</td>
</tr>
<tr>
<td>Módulo de dados</td>
<td>3 days</td>
</tr>
<tr>
<td>Módulo de Atendimento</td>
<td>15 days</td>
</tr>
<tr>
<td>Módulo de Consultas</td>
<td>9 days</td>
</tr>
<tr>
<td>Módulo de Web</td>
<td>10 days</td>
</tr>
<tr>
<td>Comunicações (SYCHONet)</td>
<td>10 days</td>
</tr>
<tr>
<td>Comunicações com CP</td>
<td>10 days</td>
</tr>
<tr>
<td>Comunicações com TACHOnet</td>
<td>10 days</td>
</tr>
<tr>
<td>Comunicações com RNT</td>
<td>10 days</td>
</tr>
<tr>
<td>Desenvolvimento</td>
<td>22 days</td>
</tr>
<tr>
<td>Comunicações (SYCHONet)</td>
<td>10 days</td>
</tr>
<tr>
<td>Comunicações com CP</td>
<td>10 days</td>
</tr>
<tr>
<td>Comunicações com TACHOnet</td>
<td>10 days</td>
</tr>
<tr>
<td>Comunicações com RNT</td>
<td>10 days</td>
</tr>
<tr>
<td>Instalação de Hardware - Ambiente de Produção</td>
<td>5 days</td>
</tr>
<tr>
<td>Instalação de Software - Ambiente de Produção</td>
<td>5 days</td>
</tr>
<tr>
<td>Instalação de Rede</td>
<td>5 days</td>
</tr>
<tr>
<td>Definição da equipe de atendimento</td>
<td>1 day</td>
</tr>
<tr>
<td>Formação</td>
<td>3 days</td>
</tr>
<tr>
<td>Testes de pré-produção</td>
<td>9 days</td>
</tr>
<tr>
<td>(M) Arranque em produção</td>
<td>11 days</td>
</tr>
</tbody>
</table>
TACHONET
TACHOnet Project Objectives

• Create a telematics network aiming at facilitating 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
TACHOOnet Business Actors

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

**Clerk @ CIA**
- Applies for a card, asks for exchange, declare card status modification
- Issues, Checks, Modifies

**Control officers**
- Checks, Modifies

**TACHOOnet XML Messaging System**
- Controls during road checks

**Truck driver**
- Owns & uses
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
<table>
<thead>
<tr>
<th>Analogue tachographs</th>
<th>Digital tachographs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Security management</td>
</tr>
<tr>
<td></td>
<td>Security policy</td>
</tr>
<tr>
<td></td>
<td>Security audits</td>
</tr>
<tr>
<td></td>
<td>- Issuing of cards</td>
</tr>
<tr>
<td></td>
<td>- Connection to a net or active exchange of information between AETR Contracting Parties</td>
</tr>
</tbody>
</table>
8. Enforcement
Enforcement

With analogue tachographs
Are recorded

- Speed
- Distance
- Mode of work
- Time
Manipulations can be detected (1)

Odometer Distance is insufficient to match geographical locations

Analogue Distance Trace
Analysis software can also be used once data are scanned (1)
Enforcement

With digital tachographs
Data can be downloaded by control officers if issued with control cards.
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)

David Fish

14/10/1997

WALSTER
Nick D.

GB/135796842
14/05/2004

XAD1117483A
B/PV1772

Tacho-Manufacturer
Tacho-Part-Number

Workshop-Name

GB/159482637
05/03/1997

1. Printing - Date & Time (UTC)
   - Delimiter Print-out general information

2. Controller - Name
   - Controller - Card Number

3. Control Place (Hand written)

4. Type of Print-Out (Card) & Enquiry date

5. Driver - Last Name
   - Driver - First Name

6. Driver Card - Number
   - Driver Card - Expiry Date

7. Vehicle - VIN
   - Vehicle - Nation + VRN

8. Tachograph - Manufacturer Name
   - Tachograph - Part Number

   Last Inspection/Calibration - Workshop Name
   Workshop Card Number
   Date
<table>
<thead>
<tr>
<th>Time</th>
<th>KM</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>06:17</td>
<td>42000 km</td>
<td>1h25</td>
</tr>
<tr>
<td>07:54</td>
<td>42010 km; 10 km</td>
<td></td>
</tr>
<tr>
<td>08:01</td>
<td>42010 km</td>
<td></td>
</tr>
<tr>
<td>11:21</td>
<td>42263 km; 253 km</td>
<td></td>
</tr>
<tr>
<td>12:34</td>
<td>14:11</td>
<td>01h38</td>
</tr>
<tr>
<td>14:12</td>
<td>16:00</td>
<td>01h52</td>
</tr>
<tr>
<td>16:04</td>
<td>18:00</td>
<td>01h57</td>
</tr>
<tr>
<td>18:01</td>
<td>18:01</td>
<td>00h01</td>
</tr>
</tbody>
</table>

**Details:**

- Card not inserted. Activity unknown
- Card insertion
- Insertion in VRN No
- Odometer at card insertion
- Detailed activities with Start Time, End Time, Duration
- Odometer, Distance travelled at Card withdrawal
- Card insertion
- Insertion in VRN No
- Odometer at card insertion
- Detailed activities
- Odometer, Distance travelled at Card withdrawal
- Card not inserted. Activity unknown
- Card insertion
- Insertion in VRN No
- Odometer at card insertion
- Detailed activities
- Odometer, Distance travelled at Card withdrawal
- Card not inserted. Activity unknown
<table>
<thead>
<tr>
<th>Time</th>
<th>Event Type</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>06:19</td>
<td>F</td>
<td></td>
</tr>
<tr>
<td>18:00</td>
<td>CAT</td>
<td></td>
</tr>
<tr>
<td>04h59</td>
<td></td>
<td>374 km</td>
</tr>
<tr>
<td>03h42</td>
<td></td>
<td>00h11</td>
</tr>
<tr>
<td>01h14</td>
<td></td>
<td>13h54</td>
</tr>
<tr>
<td>05h25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12/09/1997 18:24</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12/09/1997 18:23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>05/09/1997 06:35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01/06/936254363</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21/08/1997 12:45</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12/09/1997 12:46</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Summary Information**
- Start daily work time: Country/Region Odometer
- End daily work time: Country/Region Odometer
- Activity totals
- Duration of crew status
- Delimiter Cards Events and Faults
  - Event: Security breach attempt
  - Event: Power supply interruption
- Delimiter Vehicle Unit Events and Faults
  - Event: Sensor interruption
  - Event: Sensor insertion
- Driver Card Number
- Fault VU
- No card inserted
- Fault Printer
- No card inserted

**Driver's signature**

**Controller's signature**
Data analysis
<table>
<thead>
<tr>
<th>Analogue tachographs</th>
<th>Digital tachographs</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Roadside checks</td>
<td>- Roadside checks</td>
</tr>
<tr>
<td>- Company checks</td>
<td>- Company checks</td>
</tr>
<tr>
<td>based on paper discs</td>
<td>based on paper discs</td>
</tr>
<tr>
<td></td>
<td>based on print-outs</td>
</tr>
<tr>
<td></td>
<td>based on digital data</td>
</tr>
<tr>
<td></td>
<td>New equipments required</td>
</tr>
<tr>
<td></td>
<td>Control cards to be issued</td>
</tr>
<tr>
<td></td>
<td>Specific training to be supplied</td>
</tr>
</tbody>
</table>
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

• **These data are accessible** 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
<table>
<thead>
<tr>
<th>Analogue tachographs</th>
<th>Digital tachographs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data protection</td>
<td>Data protection</td>
</tr>
<tr>
<td>No or few requirements</td>
<td>Digital tachograph’s and tachograph cards’ data are submitted to data protection rules (if any)</td>
</tr>
</tbody>
</table>
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.
From national authorities to the EU/AETR-RMG
From the EU/AETR-RMG to national authorities

- EU/AETR-RMG
- Risk Assessment
- Risk Management
- EU/AETR-RMG Advisory Committee
- National Risk Management Group
- Enforcement authorities
- Type approval authority
- Card issuing authority
- Workshops approval authority
- Security authority
- Other stakeholders

Other stakeholders:
- A
- B
- C
- D
- E
- 1
- 2
- 3
<table>
<thead>
<tr>
<th>Analogue tachographs</th>
<th>Digital tachographs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk management</td>
<td>Risk management</td>
</tr>
<tr>
<td>No requirement</td>
<td>Policy to be implemented and maintained</td>
</tr>
</tbody>
</table>
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
Help desk in 3 languages (EN, FR, G)

www.eu-digitaltachograph.org
THANK YOU VERY MUCH FOR YOUR ATTENTION