# **Response form** to Consultation - Government’s proposals on the implementation of EU Regulation 165/2014 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

**Please send to** [**tachographregulation@dft.gsi.gov.uk**](mailto:tachographregulation@dft.gsi.gov.uk) **or Tachograph Regulation, Zone 3/28 Great Minister House, 33 Horseferry Road, LONDON SW1P 4DR, by 12 May 2015.**

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| --- | --- |
| Name: |  |
| I am responding as an: | Individual  Organisation |
| I am responding from: | Great Britain  Northern Ireland |
| If an organisation please provide information as to who the  organisation represents and, where applicable, how the views of  members were assembled: |  |

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| --- | --- |
| **Number** | **Question** |
| 1 | **Do you agree with our assessment of the impacts from the new generation of digital tachograph? Please give your reasons and any further views relating to the impacts (including costs and benefits) of the new generation of digital tachographs.** |
| Response to 1: |  |
| 2 | **Do you agree with the proposals for updating the legislative framework and guidance (including the costs and benefits we have identified)? Please explain your reasons.** |
| Response to 2: |  |
| 3 | **Are you interested in seeing information if we decide to provide further information concerning the ongoing development of the policy or the draft legislative changes? If so, please provide contact details.** |
| Response to 3: |  |
| 4 | **Do you agree with the approach for meeting the requirements of the new Regulation for approval of fitters, workshops and vehicle manufacturers and our views on the impacts of article 24? Please explain your reasons.** |
| Response to 4: |  |
| 5 | **Do you have any views related to driver cards and record sheets? Or do you have any concerns?** |
| Response to 5: |  |
| 6 | **Do you agree that we continue to apply the national derogations to EU drivers’ hours (for USPs, vehicles using natural or liquefied gas or electricity and those carrying live animals to market,) with the extension to 100km radius? Please explain your reasons. Also, can you provide any further information on the costs or benefits of the extension of these exemptions/national derogations for any of the various sectors?** |
| Response to 6: |  |
| 7 | **Do you believe we should retain the 50km criterion for driver CPC or increase it to 100km? Please explain your reasons.** |
| Response to 7: |  |
| 8 | **Do you agree with the views above [page 14]? Please give your reasons. Also do you think the UK should allow for field tests of non-type approved tachographs? Could you provide us with any costs or benefits that may arise from this, as well as any practical issues you think there might be with this?** |
| Response to 8: |  |
| 9 | **Do you agree with the view that we should not take up the option of issuing temporary cards? If you do not agree, please provide comments – including any benefits, cost information and situations where this would occur to support your comments.** |
| Response to 9: |  |
| 10 | **Do you agree that transport operators should only be liable for drivers’ infringements if those operators have themselves infringed one or more of their own primary obligations (as listed above – page 15)?** |
| Response to 10: |  |
| 11 | **Do you agree with our views in relation to retrofitting vehicles with a new generation tachograph? If not, can you provide any further information?** |
| Response to 11: |  |
| 12 | **Can you provide views on any impact (including costs or benefits) that strengthening the security requirements of tachographs might have and anything that will need further consideration, including how often a test should be required?** |
| Response to 12: |  |
| 13 | **Do you agree with the view that sealing practices may have to change as a result of the new Regulation? Please explain your reasons. Can you provide any further information including any costs or benefits?** |
| Response to 13: |  |
| 14 | **Do you agree that the introduction of a requirement to keep inspection reports will not impact UK workshops? If not, please provide further information (including costs and benefits).** |
| Response to 14: |  |
| 15 | **Do you have views on how the new requirement that tachographs shall not be set to automatically switch to a specific category should be treated in our domestic legislative framework, including any appropriate level of penalty?** |
| Response to 15: |  |
| 16 | **Do you have views on the new requirement to not have more than one tachograph fitted in a vehicle? Do you consider there to be any valid reason that two tachographs might exist in a vehicle? Do you have any thoughts on the costs and benefits of these requirements? Should more than one tachograph in a vehicle (if not related to a field test) be designated as a fixed penalty offence and if so, what are your views on appropriate levels of penalties?** |
| Response to 16: |  |
| 17 | **Do you have any views on the above [page 18] related to our existing legislative framework on false records and what needs to be amended?** |
| Response to 17: |  |
| 18 | **Do you have views on control officers being empowered to request workshops to carry out tests, including on what the appropriate level of penalty for non-cooperation should be?** |
| Response to 18: |  |
| 19 | **Do you have views on penalties for offences? If so, please explain them.** |
| Response to 19: |  |
| 20 | **When sentencing offenders for infringement of tachograph rules, do you agree that courts should tailor individual fines to the offender’s ability to pay, for example by reference to weekly pay (in the case of a driver) or turnover or profit (in the case of an operator)?** |
| Response to 20: |  |
| 21 | **Do** **you have views on the above [pages 20-21] related to fixed penalties? If so, please explain them.** |
| Response to 21: |  |
| 22 | **Do you have any comments on the data protection requirements, the early remote detection provision or the change in times for renewal of drivers’ cards (including costs or benefits)?** |
| Response to 22: |  |
| 23 | **Do you consider there are any other impacts (including costs and benefits) from Articles 1-3? If so, please provide information.** |
| Response to 23: |  |
| 24 | **Do you consider there are any other impacts (including costs and benefits) from Articles 4-11? If so, please provide information.** |
| Response to 24: |  |
| 25 | **Do you consider there are any other impacts (including costs and benefits) from Articles 12-21? If so, please provide information.** |
| Response to 25: |  |
| 26 | **Do you consider there are any other impacts (including costs and benefits) from Articles 22-25? If so, please provide information.** |
| Response to 26: |  |
| 27 | **Do you consider there are any other impacts (including costs and benefits) from Articles 26-31? If so, please provide information.** |
| Response to 27: |  |
| 28 | **Do you consider there are any other impacts (including costs and benefits) from Articles 32-37? If so, please provide information.** |
| Response to 28: |  |
| 29 | **Do you consider there are any other impacts (including costs and benefits) from Articles 38-41? If so, please provide information.** |
| Response to 29: |  |
| 30 | **Do you consider there are any other impacts (including costs and benefits) from Articles 42-48? If so, please provide information.** |
| Response to 30: |  |