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Accompanying the document

REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the 2015-2016 implementation of Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport and of Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities

(29th report from the Commission on the implementation of the social legislation relating to road transport)

{COM(2018) 698 final}

1. Social legislation in road transport – objectives and key provisions

The EU social rules in road transport are established by four interrelated acts : Regulation (EC) No 561/2006, which establishes rules on driving times, breaks and rest periods for professional drivers, Regulation (EU) No 165/2014 on recording equipment in road transport, Directive 2002/15/EC, which sets out complementary provisions on the organisation of the working time of persons performing mobile road transport activities and Directive 2006/22/EC, which determines minimum requirements for enforcement of these rules.

Regulation (EC) No 561/2006 applies to employed and self-employed drivers engaged in the carriage by road of goods where the maximum permissible mass of the vehicle exceeds 3.5 tonnes and of passengers by vehicles carrying more than nine persons including the driver. The maximum weekly driving time of a driver should not exceed 56 hours (provided that no more than 90 hours are driven in any two consecutive weeks). The total daily driving time should not exceed 9 hours, although twice a week it can be extended to 10 hours. Breaks should last for at least 45 minutes (which may be separated into a break of 15 minutes followed by 30 minutes) and should be taken not later than 4.5 hours of driving period. The daily rest period is determined at the level of minimum 11 hours, which can be reduced three times a week to 9 hours.

The Commission has undertaken an ex-post evaluation[1] of the social rules which concluded that the legislations remain a relevant tool, but it is only partially effective. The effects in terms of enhancing road safety were positive. However, although road safety levels have improved in the period covered by the evaluation, the impact of the social legislation could not be discerned from the impacts of other road safety measures implemented across Member States. The insufficient effectiveness and efficiency of the social legislation is mainly due to the lack of clarity of certain rules, leading to diverging national interpretations and application of the rules, inconsistent and ineffective enforcement practices and a lack of administrative cooperation.

This is the reason why the Commission has tabled two proposals[2] on 31 May 2017 revising the social rules where discussions are under way since summer 2017 in the European Parliament and the Council.

Regulation (EU) No 165/2014 repealed Council Regulation (EEC) No 3821/85 on recording equipment in road transport. The new Regulation sets out obligations and requirements in relation to the construction, installation, use, testing and control of tachographs used in road transport, in order to verify compliance with the provisions of Regulation (EC) No 561/2006 It also aims at reducing administrative burden and making fraud to the tachograph more difficult. The smart tachograph will be fitted in vehicles registered for the first time as of 15 June 2019. It will feature a new set of advanced communication capabilities with respect to the current digital tachograph, such as satellite geo-localization or short range communication for the transmission of information to enforcement authorities. Those communication

[1] SWD(2017) 184 final from 31.05.2017.
[2] COM(2017) 277 final and COM(2017) 278 final

capabilities will broaden the areas of enforcement where the tachograph is applied, extending it to, for instance, the control of cabotage operations or the application of the rules on the posting of drivers.

Directive 2002/15/EC, known as the "Road Transport Working Time Directive", applies to mobile workers such as drivers, crew and other travelling staff, both with the employment or self-employment status. The Directive complements Regulation (EC) No 561/2006 by putting in place limitations on the maximum weekly and maximum average weekly working time of workers in the road transport sector as well as adequate breaks and night work provisions. Working time is defined in the Directive as time devoted to all road transport activities, including driving, loading and unloading, assisting passengers boarding and disembarking from the vehicle, cleaning and technical maintenance and all other work intended to ensure the safety of transport operation. Specific time limits are set out in relation to weekly working time (excluding breaks and periods of availability) which amounts to maximum 48 hours a week, which may be extended to 60 hours, provided that over four months, an average of 48 hours a week is maintained. Moreover, a limitation to 10 hours on daily working time is introduced in case of night work. Each mobile worker is obliged to take a break after working consecutively for 6 hours, which should be at least 30 minutes, if working hours range from six to nine hours and at least 45 minutes, if working time equals to more than nine hours.

Directive 2006/22/EC also called the "Enforcement Directive" aims at verifying compliance and ensuring application of the driver's hours rules established by Regulation (EC) No 561/2006 and Regulation (EU) No 165/2014. The Directive promotes harmonised enforcement of the social rules in road transport by means of minimum requirements for the uniform and effective checks to be carried out by Member States. The minimum threshold of checks of the total number of days worked by drivers falling under the scope of Regulation (EC) No 561/2006 and Regulation (EU) No 165/2014 is set at 3% from 2010. In addition, the total number of working days actually checked should be carried out in a proportional manner for checks at the roadside and at premises of transport undertakings, 30 % and 50 % respectively. In order to encourage cooperation between Member States, an obligation of minimum 6 concerted roadside checks per year undertaken by two or more enforcement authorities was introduced.

This Staff working Document is accompanying the Report and provides more national figures and details as well as updates on other relevant aspects in the field.

2. Checks

As mentioned in the report, total working days checked in the EU continued to decrease since 2013-2014. However, looking at the national figures the decrease of around -12.8% of working days checked seemed to mainly result from the lower number of working days checked reported by Germany, Romania and France[3].

[3] Germany, France and Romania reported together around 17.4 million less working days checked compared to the last report. Germany explained that data of three Länder were missing for this report.

Overall, the majority of Member States performed significantly more working days checked than required. If 100% represents the minimum threshold percentage of 3%, the top five Member States are France (395%), Germany (382%), Bulgaria (375%), Austria (359%) and Latvia (340%), which accounted for more than half of the working days checked in the EU (around 68 out of 131 million). Compared to the last report, Croatia and Lithuania made great improvements and now meet the threshold of 3%.

Only three Member States did not meet the minimum threshold, namely Greece (5% out of 100%), Netherlands (72%) and Malta (94%).

The Netherlands have applied since 2009 a "monitoring based on trust" system where 64 road transport undertakings have concluded an enforcement agreement with the Environment and Transport inspectorate. The agreement covered over 2.8 million days worked by drivers during 2015-2016 which are in addition to the 1.2 million working days checked reported by the Netherlands. Adding these figures together would allow the Netherlands to meet the minimum threshold. The Dutch authorities informed the Commission that the continuous development and expansion of the risk analysis enables the Dutch inspectorates to focus its efforts on those road transport undertakings whose level of compliance is poor. Furthermore, non-compliant undertakings fall under specialised enforcement and are subject to a rigorously applied corrective procedure.

The Directive also requires that at least 50% of the total number of working days checked should be done through checks at the premises of undertakings and at least 30% on the roadside. However, looking at the number of Member States which have met the threshold, only the following six Member State have the required balanced share between working days checked at premises and the roadside: Bulgaria (59% of working days checked at premises), Cyprus (52%), Latvia (57%), Luxembourg (68%), Romania (51%) and Slovakia (58%).

Based on the figures reported the upward trend continues as regards working days checked at the premises with the EU average rising to 26% compared to 23% in 2013-2014 and 18% in 2009-2010. The most significant improvements compared to the last report were reported by Romania (rise from 14% to 51%) and by Luxembourg (from 39% to 68%). Both Member States have now met the threshold.

Ireland continues to be the only Member State which has not met the threshold for the roadside checks because 93% of total working days are checked at the premises. However, the reason seems to be that not many other non-Irish, except British registered vehicles are circulating on Irish roads.

3. Checks compared to the number of enforcement officers and equipment to analyse tachographs

Based on the number of enforcement officers reported from all Member States, the number of control officers involved in checks remained stable with a slight increase from 61,211 in 2013-2014 to 61,503 in 2015-2016. The number of enforcement officers trained to analyse

the digital tachograph has continued to decrease by 5.7% as well as the units of equipment provided to control officers to analyse the tachograph by 5.5% compared to the last report.

Table 1: Overview of national enforcement capacity in 2015-2016 per Member State

Member States	Control officers involved in checks	Control officers trained to analyse the digital tachograph	Units of equipment provided to control officers to analyse the tachograph
AT	1150	1150	485
BE	3654	3510	123
BG	198	198	220
HR	315	315	150
CY	136	10	8
CZ	693	693	136
DK	68	68	31
EE	206	58	19
FI	455	207	109
FR	6000	6000	3500
DE	16795	4528	2321
EL	1171	437	350
HU	700	600	350
IE[4]	11	11	11
IT	11309	1333	304
LV	28	28	12
LT	426	148	55
LU	26	20	15
MT	2	2	1
NL	100	300	85
PL[5]	1344	1193	240
PT	14909	1315	343
RO	318	318	318
SK	40	41	40
SL	80	310	36
ES	512	395	445
SE	249	227	205
UK	608	310	310
Total	**61,503**	**23,725**	**10,222**

4. Roadside checks

As mentioned in the report, in general 32% of vehicles checked at the roadside are from another EU country[6]. However, in some Member States the percentage of vehicles from another EU country constitutes more than half: namely in Luxembourg (64%), Belgium (62%), Austria (61%), France (60%), the Netherlands (54%) and the UK (53%). The

[4] Ireland explained that this figures does not include members of the police force and solely refers to staff from the Road Safety Authority.
[5] Poland explained that this figure does not include police officers involved in roadside checks
[6] Data from Denmark and Finland are missing for these figures as they were not complete.

geographic location and volume of transit operations may in certain Member States play a factor. Member States whose share of checking vehicles registered in non-EU country was the largest are Slovenia (43%), Croatia (23%) and Lithuania (21%). A complete overview per Member State can be found in Table 2 below.

Table 2: Share of checked vehicles on the roadside by country of registration

Member States	Nationals	Non-nationals	Third nationals
AT	35%	61%	4%
BE	34%	62%	3%
BG	71%	14%	15%
HR	65%	12%	23%
CY	100%	0%	0%
CZ	55%	41%	4%
DK[7]			
EE	85%	12%	2%
FI			
FR	38%	60%	1%
DE	60%	35%	5%
EL	82%	11%	7%
HU	56%	33%	11%
IE	95%	5%	0%
IT	86%	13%	1%
LV	57%	33%	10%
LT	46%	33%	21%
LU	35%	64%	1%
MT	67%	33%	0%
NL	44%	54%	2%
PL	66%	16%	19%
PT	97%	3%	0%
RO	83%	10%	7%
SK	45%	48%	7%
SL	30%	28%	43%
ES	89%	10%	1%
SE	56%	41%	2%
UK	45%	53%	3%
EU average	**63%**	**32%**	**5%**

5. Roadside checks – type of tachograph

According to Article 2 of Directive 2006/22/EC, the threshold of minimum checks of number of days worked by drivers of vehicles will be raised to 4% once 90% of vehicles checked are equipped with a digital tachograph. Compared to the last report, the share of vehicles checked at the roadside that were equipped with the digital tachograph increased from 64% to 72%[8]. There is therefore no base to raise the threshold of minimum checks to 4% for the time being.

[7] Data not available for Denmark
[8] This does not include data from Denmark and Finland due to their incompleteness.

The highest share of digital tachograph (above 80%) was found during roadside check in Austria (91%), Luxembourg (86%), France (85%), Slovakia (82%) and Sweden (82%). In contrast, the lowest percentage of digital tachograph was reported in Cyprus (28%) and Greece (27%). Table 3 below provides a full overview.

Table 3: Overview of the number of vehicles stopped for roadside check by type of tachograph

Member States	Analogue tachograph	% analogue	Digital tachograph	% digital
AT	23,568	9%	240,479	91%
BE	14,449	27%	38,871	73%
BG	70,375	24%	225,521	76%
HR	18,864	61%	12,020	39%
CY	4,759	72%	1,841	28%
CZ	37,287	29%	89,479	71%
DK[9]				
EE	3,934	49%	4,094	51%
FI[10]				
FR	115,617	15%	659,731	85%
DE	523,487	18%	2,368,617	82%
EL	29,783	73%	11,025	27%
HU	23,203	16%	120,007	84%
IE	2,293	24%	7,068	76%
IT	308,395	46%	361,310	54%
LV	10,258	39%	15,794	61%
LT	31,188	51%	29,710	49%
LU	415	14%	2,598	86%
MT	15	38%	24	62%
NL	7,248	22%	25,723	78%
PL	319,046	63%	190,055	37%
PT	34,600	56%	27,066	44%
RO	172,162	53%	154,926	47%
SK	2,468	18%	11,443	82%
SL	7,207	37%	12,127	63%
ES	133,457	29%	325,030	71%
SE	8,143	18%	36,561	82%
UK	72,269	39%	112,861	61%
Total	1,977,872	28%	5,084,766	72%

6. Checks at premises

As indicated in the report, the total share of working days checked at premises has slightly risen by 1%. In total, Member States checked around 663,000 drivers during 2015-2016 which constitutes 12% of drivers compared to 2013-2014. However, there are Member States who significantly increased the numbers of drivers checked at the premises (Hungary by 196 %, Finland by 133% and Luxembourg by 70%). Other Member States covered significantly

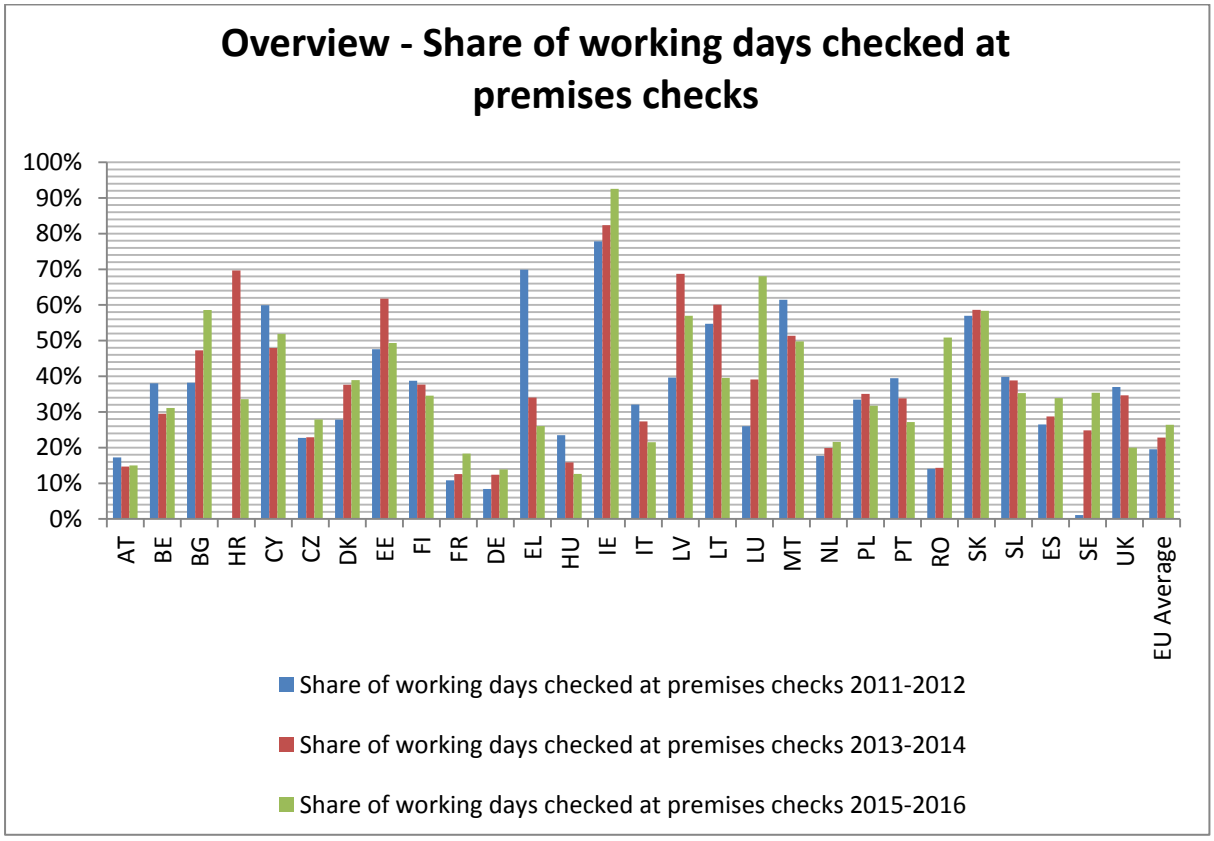
[9] Data is not available for Denmark
[10] Data from Finland was not included to its incompleteness.

less drivers during their checks, namely Ireland (-90%), Greece (-70%), Romania (-67%) and Portugal (-55%).

At the same time, the share of drivers checked at the premises compared to all drivers controlled at premises and roadside, continued to increase throughout the years with 10% in 2015-2016 (9% share in 2013-2014 and 7% in 2011-2013 and 5% in 2009-2010). Table 4 below provides an overview of this share across Member States.

The offence rate per undertaking was extremely high in Latvia (553 offences per undertaking checked), Poland (81 offences), Sweden (76 offences), Germany (65 offences) and Ireland (30 offences).

Figure 4: Share of working days checked at premises checks from 2011-2016 by Member States



7. Offences – detection rate

Like in the last reporting period, it is almost the same small group of Member States who detected over two thirds (73%) of all offences detected. These countries are Germany (32% of total offences), Poland (16%), Austria (11%), Latvia (8%) and Italy (7%). The average share of offences detected on the roadside is around 58% and 42% at the premises of undertakings. Significant disparities continue to exist between Member States as well illustrated in Figure 5 with offence rates. Almost the same Member States are marking the

lowest offence rate in the EU: 0.04 in Bulgaria, 0.38 in Hungary, 0.53 in France, 0.99 in Romania, even though they are among the top seven Member Stats with the highest working days checked in the EU. At the same time, the following Member States have very high offence rates: 16.89 in Latvia, 8.34 in Greece, 7.59 in Austria, 6.01 in Poland and 6.29 in Cyprus. An important increase in the offence rate can be observed in Greece[11] (from 3.10 to 8.34) Luxembourg (from 1.33 to 5.01) and Poland (2.69 to 6.01), whereas a drop was reported by Lithuania (4.07 to 1.9) and Malta (3.03 to 1.61) compared to the last report. The table in Figure 5 provides an overview of the offence rate development since 2011. Given these discrepancies, the enforcement practices across the EU should be aligned, leading to harmonised checks that have similar outcomes. The Commission is currently in the process of establishing a common training curriculum for EU enforcers to ensure that the initial and continuing training enforcers in the EU adhere to a minimum standard and to ensure that enforcement practices are harmonised.

8. Offences detected at roadside

In total, 58% of the total offences were detected on the roadside in the EU, which represents a decrease compared to 63% in the last report. The offence rates found on the roadside were very diverse[12] across the EU. Compared to the EU average of 2.07 offence rates are in particular high in Greece[13] (11.17), Austria (8.69) and significantly more than the EU average in Slovakia (3.51) Ireland (3.38), Sweden (3.29) and Poland (3.21). Very low offence rates at the roadside were reported in Bulgaria (0.08), Hungary (0.32), Latvia (0.49), Finland (0.5) and France (0.55). A considerable increase in detection rate could be seen in Greece (4.64 to 11.17) Romania (from 0.42 to 1.74), Poland (1.22 to 3.21) and in the Czech Republic (1.11 to 2.59). An important decrease in the offence rate could be observed in Estonia (4.33 to 2.39), in Lithuania (5.77 to 2.33) and Latvia (1.68 to 0.49).

However, in some of the Member States, the numbers of detected offences related to non-national vehicles prevail, namely Luxembourg (84%), Slovenia (79%) Hungary (68%), Belgium (65%), Austria, Bulgaria and France (64%), Sweden (63%) and Lithuania (61%). This may be explained by the fact that many Member States mentioned above performed more controls on non-national vehicles. However, as for Bulgaria, Hungary, Lithuania, Luxembourg, Poland, Romania, Slovenia and Sweden, the offences detected on foreign registered vehicles appear more disproportionate.

9. Offences detected at the premises

Offence rates at the premises of undertakings in the EU are also very diverging. Indeed, several Member States are well above the EU average of 4.19 with the highest detection rate in Latvia (29.27), Poland (12.04), Germany (11.27), Cyprus (10.61) and the Netherlands (9.87). This stands in contrast with countries with a very low detection rate such as Bulgaria (0.02), Croatia (0.02), Portugal (0.06), Romania (0.27), Greece (0.31), France (0.42), UK

[11] Greece has however only checked 0.1% instead of 3% of the number of working days required.
[12] All Member States except for Denmark has provided the number of roadside offences.
[13] Greece has not met the threshold.

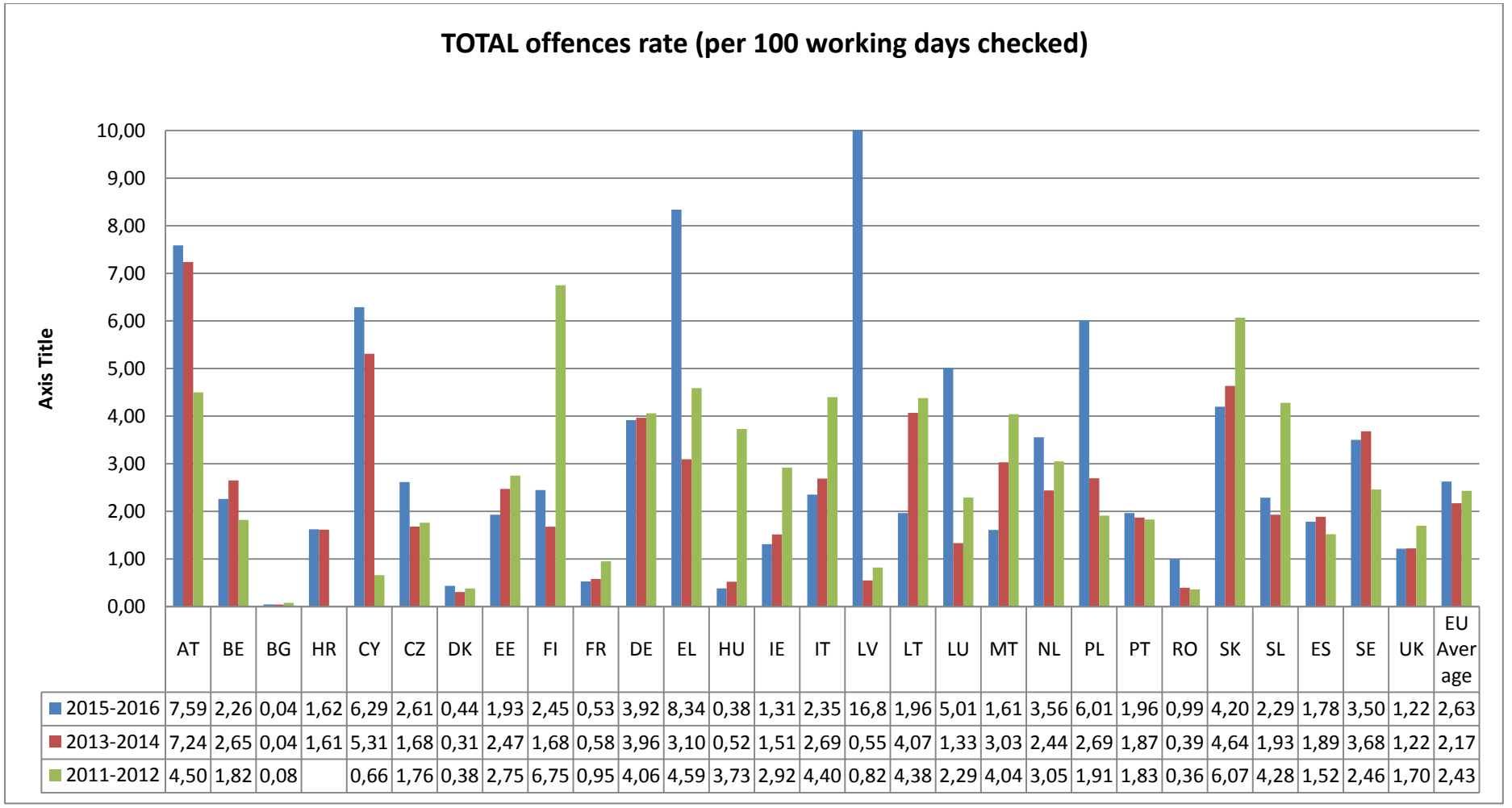
(0.48), Spain (0.63), Malta (0.65) and Hungary (0.79). The majority of these countries, except for Croatia and Malta had also reported very low detection rate in the last report.

Compared to the 2013-2014 reporting period, there is a significant rise in detection rates noted in Poland (from 5.42 to 12.04), Finland (from 3.2 to 6.13), and Luxembourg (from 1.1 to 6.69). In contrast, the detection rate at premises has decreased significantly in Germany (14.01 to 11.27), Malta (4.25 to 0.65) and Sweden (5.41 to 3.89).

Table 5: Breakdown of offences found on the roadside and premises checks in 2015-2016

Checks at	Breaks	Rest periods	Driving time	Driving time records	Recording equipment	Lack/availability of records for other work
Roadside	16%	26%	16%	15%	18%	9%
Premises	26%	21%	10%	33%	5%	5%
Total	21%	24%	13%	24%	11%	7%

Figure 5[14]: Total offence rate at the roadside and premises checks by Member States between 2011-2016



	AT	BE	BG	HR	CY	CZ	DK	EE	FI	FR	DE	EL	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	RO	SK	SL	ES	SE	UK	EU Average
2015-2016	7,59	2,26	0,04	1,62	6,29	2,61	0,44	1,93	2,45	0,53	3,92	8,34	0,38	1,31	2,35	16,8	1,96	5,01	1,61	3,56	6,01	1,96	0,99	4,20	2,29	1,78	3,50	1,22	2,63
2013-2014	7,24	2,65	0,04	1,61	5,31	1,68	0,31	2,47	1,68	0,58	3,96	3,10	0,52	1,51	2,69	0,55	4,07	1,33	3,03	2,44	2,69	1,87	0,39	4,64	1,93	1,89	3,68	1,22	2,17
2011-2012	4,50	1,82	0,08		0,66	1,76	0,38	2,75	6,75	0,95	4,06	4,59	3,73	2,92	4,40	0,82	4,38	2,29	4,04	3,05	1,91	1,83	0,36	6,07	4,28	1,52	2,46	1,70	2,43

[14] Denmark has not provided data on offences detected at the roadside

10. Categories of infringements detected at roadside

The main types of infringements detected at the roadside checked by Member States[15] remained on average relatively similar to the last report in terms of share to the total offences detected at the roadside: breaks (decreased from 17% to 16%), rest periods (increased from 25% to 26%), driving time (decreased from 18% to 16%), driving time record for the preceding 28 days (decreased from 17% to 15%) as well as lack and availability of record for other work remained at 9%. In contrast, the offences detected regarding recording equipment increased from 13% to around 18% of the total offences at the roadside. Offences on the recording equipment comprise offences on the incorrect functioning of the tachograph as well as their misuse and manipulation. On average manipulation and misuse of the tachograph constituted 16% of the overall offences (11% in 2013-2014) at the roadside, so around 317,600 offences between 2015-2016. In Germany (30%), Poland (33%) and the UK (33%) manipulation and misuse of the tachograph made up even around a third of their offences found. However, national authorities, among them the Dutch, informed the Commission, that tachograph fraud and manipulation techniques became increasingly sophisticated and makes monitoring and enforcement more difficult and take up a large amount of available inspection capacity, so the real number of offences is likely to be much higher.

Looking at national figures, the detected infringements on driving time were in particular high in Luxembourg (35%), while offences on breaks were high in Cyprus (31%), Ireland (30%), Slovakia (35%) and Sweden (38%). Offences in rest periods were in particular significant in Belgium (36%), Luxembourg (37%), Romania (40%), Slovakia (38%), Spain (40%) and the UK (42%). In contrast to the low EU average regarding the infringement of providing the driving records, it constitutes a significant share in individual Member States, such as in Bulgaria (33%), the Czech Republic (33%), Italy (41%), Latvia (47%) and Lithuania (33%).

11. Categories of infringements detected at premises

Compared to the last report, offences detected at the premises[16] of undertakings are decreasing, namely on driving time (14% to 10%), breaks (33% to 26%), rest period (24% to 21%) and on lack and availability of records for other work (6% to 5%). Offences on recording equipment rose from 4% to 5% and there is a sharp increase of offences detected on driving time records from 19% to 33%, which have to be kept at least for one year by the transport undertakings. The latter offence is significant in the Czech Republic (54% of national offences detected at premises), Italy (69%) and Poland (80%). A possible explanation was given by the Italian authorities which explained that the low fines for missing driving records would encourage drivers and operators to claim that they are not in possession of driving time records rather than risking to be fined for other offences that are subject to significantly higher fines. Driving time offences were also very high in Greece (44%)[17], Lithuania (36%), Malta (57%)[18], Portugal (32%) and Slovenia (35%). Offences on

[15] Finland did not provide a breakdown of offences at the road.
[16] Finland, Ireland and Latvia did not provide a full or no breakdown of total offences at the premises.
[17] Out of 176 offences at premises reported.

breaks were frequently detected in Austria (56%), Belgium (41%), Finland (46%), Germany (45%), Ireland (55%) and Luxembourg (41%). Infringements on rest periods constituted an important share in Estonia (53%), Greece (52%), Hungary (56%) and Romania (54%). Offences on recording equipment constitute 4% and amount to around 48,800 in total during 2015-2016. Their national share was in particular high in Croatia (22%) and the Netherlands (28%). Infringements on the lack and availability of records of other work were in particular high in Sweden where they constituted 46% of the national offences detected at the premises.

12. Cooperation between Member States

According to Directive 2006/22/EC, Member States are obliged to undertake not less than six concerted roadside checks per year with at least one other Member State. Four Member States[19] did not provide information on the number of concerted checks. Out of the Member States that did provide information on checks, 15 Member States[20] met the required number of concerted checks per year.

Table 6 below presents the number concerted checks and exchange of experience carried-out by Member States in 2015-2016. It also provides an overview of the focus of these concerted checks and exchange of experience and which Member States cooperated.

Table 6: Overview of concerted checks per Member States

Austria	**Concerted checks:** • **6 a year, ECR/TIPSOL Member States** **Exchange of experience, data, staff:** • **6 bilateral (32 staff), 4 multilateral (10 staff)** **Subject for exchange: driving time checks, manipulation of recording equipment, technical checks, securing of loads. ECR/TIPSOL Member States**
Belgium	No data provided
Bulgaria	Concerted checks: • 1 joint check with Romanian control bodies (ARR) in Romania and Bulgaria Exchange of information on detected infringements committed by Bulgarian drivers in Germany, Hungary, Austria, Spain, the UK, Italy, Latvia, Romania and Slovenia.
Croatia	No information provided
Cyprus	• 29 road transport inspectors at the Department of Road Transport and 80 members of the Cypriot traffic and transport police received theoretical and practical training on roadside checks.

[18] Out of seven of offences at premises reported.
[19] Croatia, Cyprus, Finland, Greece
[20] Austria, Czech Republic, Germany, France, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Romania, Slovakia, Spain, Sweden, UK.

	• In December 2016, two inspectors from the Labour Inspection Department took part in a week-long training programme on tachographs and driving hours organised by the Austrian Ministry of Transport, in cooperation with the corresponding Austrian government department.
Czech Republic	2015: Concerted checks: • 3 joint inspections in Czech Republic • 5 joint inspections with Germany, 1 with Poland, 1 with Slovakia and 1 with Hungary. • Inspections carried out in mutual cooperation with Germany's BAG, Poland's ITD, Slovakia's NIP and Hungary's NHK. Exchange of experience: • Multilateral exchange scheme conducted in Poland, France and the Netherlands; workshop focusing on ADR – Germany (always with one representative from the Czech Republic) • Intensive cooperation within the ECR group, focused exchange of experienced related to checks on social legislation, detection of manipulation and fraud involving tachographs, ADR inspections, checks on the technical state of vehicles and performance of low-speed weighing. 2016: Concerted checks: • 5 joint inspections in Czech Republic • 5 joint inspections with Germany, 2 with Poland, 1 with Slovakia and 1 with Hungary. • The inspections were carried out in mutual cooperation with Germany's BAG, Poland's ITD, Slovakia's NIP, Hungary's NHK and inspectors from the UK. Exchange of experience: • Multilateral exchange scheme conducted in Belgium, France, Poland and Hungary; workshop focusing on manipulation and fraud involving tachographs: Poland (always with one participant from the Czech Republic) • Intensive cooperation within the ECR group, focusing on the exchange of experiences relating to ADR inspections, checks on social legislation and the detection of manipulation and fraud involving tachographs. Deployment of experts on the above topics. Attendance at discussions on those topics by WP.15 representatives responsible for legislation on the carriage of dangerous goods (ADR).
Denmark	• The National Police participated in (concerted) checks arranged by TISPOL. No other concerted checks were recorded.

	Exchange of experience: • The National Police exchanges information concerning inspection procedures, data, etc., with other Member States upon request. It also asks other Member States about their inspection procedures, etc., as required.
Estonia	2015: • Estonian Police authorities carried out common road side checks 1 time with the Latvian and Lithuanian enforcement authorities and 1 time with the Finnish Police. 2016: • Estonian Police authorities initiated common road side checks 1 time with the Latvian and Lithuanian enforcement authorities and 1 time with the Finnish Police.
Finland	No information provided
France	In both 2015 and 2016, France participated in 7 concerted checks each year, as an active member of ECR. The focus of these controls was cabotage, roadworthiness tests, transportation of dangerous goods, passenger transport, tachograph fraud and European social regulations. Exchange of experiences: • France organised in both 2015 and 2016 a bilateral cooperation session with Germany. • France participated in multilateral cooperation exchanges in 2015 and 2016 organised by ECR members in the Netherlands, Poland, Hungary, and the UK
Germany	• Experience of 'manipulation of digital recording equipment' exchanged at national level between the police, the federal-state inspection authorities and the Federal Goods Transport Office Concerted checks: • Total of 14 joint checks with other ECR countries, 12 of which involved TISPOL Exchange of experience: • The Federal Goods Transport Office was notified of three exchanges in total. Only Mecklenburg-Western Pomerania provided data relating to joint initiatives.
Greece	No information provided
Hungary	2015: Concerted checks: • 3 Hungary-Slovenia checks • 3 Hungary-Croatia checks • 1 Hungary-Romania checks • Annual regional multilateral roadside checks – 3 days in Zala,

	Hungary with the participation of CZ, DE, SI, AT, SK, PL, RO, FI, BG, Ukraine, RS experts. 2016: Concerted checks: • 3 Hungary-Slovenia checks • 4 Hungary-Croatia checks • 2 (x 2 days) Hungary-Romania • Annual regional multilateral roadside checks – 3 days in Zala, Hungary with the participation of Ukraine, SI, CZ, SK, PL, DE, BG, SE, HR, RO. Exchange of experience: • In 2016 participation at ECR exchanges in Brussels, Biarritz and organisation, hosting of one exchange in Budapest with 20 experts from 9 countries (BE, NL, LU, FR, DE, PL, RO, IE, CZ).
Ireland	2015: Concerted checks: • 23 checks with Northern Ireland and the United Kingdom 2016: Concerted checks: • 18 checks with Northern Ireland and the United Kingdom Exchange of experience: Attendance at exchange programmes organised through Euro Controle Route Working Groups. Apart from enforcement exchanges there were also numerous meetings between senior management personnel from DVSA; DVANI and RSA as part of a Tripartite Working Group. Ireland is a member of ECR and Corte and participates at working group meetings in relation to training, enforcement practice and interpretation of the regulations.
Italy	2015: Traffic Police, as part of the activities organised by TISPOL actively participated in the joint European checking and safety campaigns on the carriage of goods and people, to combat offences and conduct 'thematic' campaigns across Europe. 2016: During 2016, the Traffic Police, as part of the activities organised by TISPOL, the European Traffic Police Network, actively participated in joint European checking and safety campaigns on the carriage of goods and people. As part of the joint European 'Truck and Bus' campaign, three ‘Truck and Bus’ operations were carried out in Italy in 2016, in February, July and

	October, during which 3 275 offences were detected relating to driving time, rest breaks and the proper functioning of tachographs in general.
Latvia	2015: Concerted checks: • 11 roadside checks with Lithuania • 1 road check with Estonia 2016: Concerted checks: • 9 roadside checks with Lithuania • 1 road check with Estonia
Lithuania	Between 2015 and 2016, 26 joint vehicle-checking exercises were carried out with officials from the Polish and Latvian inspectorates. Joint checks were carried out with Polish officials in the Kalvarija (LT) – Budzisko (PL) border zone, and with officials from the Latvian inspection body in the Saločiai (LT) – Grenctāle (LV), Smėlynė (LT) – Medumi (LV), Obeliai (LT) – Subate (LV), Būtingė (LT) – Rucava (LV) and Kalviai (LT) – Meitene (LV) border zones. The Inspectorate, together with other Euro Contrôle Route (ECR) member countries, took part in 10 joint freight and passenger vehicle inspections
Luxembourg	2015: - 2 checks in Sterpenich with Belgium and Netherlands. - 5 checks in Markusberg and Kaiserslautern with Germany. - 1 *Interregio* exercise with Germany - 3 exercises *BENEFRALUX* with Belgium, Netherlands and France. 2016 : - 30 checks on the Dudelange-Zoufftgen route with France. - 3 checks in Markusberg with Germany - 3 exercises *BENELUX* with Belgium, Netherlands and France - 1 operation in *Hazeldonk* with Belgium and Netherlands.
Malta	One concerted check was carried out during software training in Poland on the 24th November 2016 with the Polish Authority
Netherlands	8 checks carried out with ECR/TIPSOL partnership. . Each year between 25 and 30 Dutch inspectors participate in international activities organised by the ECR, such as bilateral and multilateral exchanges of inspectors, workshops and master classes. The Netherlands also invested heavily in initiating, organising and managing these activities during the reporting period.

	In addition, the Netherlands is an active participant in the collaboration within CORTE, which includes work on the development of accepted standardised calculation rules for the calculation of driving times and rest periods on the basis of the applicable EU legislation.
Poland	Road Transport Inspectorate representatives participated in the following coordinated inspection organised by ECR: 2015: 7 concerted inspections 2016: 7 concerted inspections For both years PL participated at international exchanges on tachograph fraud, passenger transport, secure loading, overloading, social dumping, technical checks of vehicles etc. PL has also participated at the Master Classes on tachograph as well training workshops on transport of dangerous goods.
Portugal	Portugal has participated in the relevant meetings organised by the competent bodies at Community level.
Romania	2015: Concerted checks: 7 concerted checks organised by ECR where member state authorities from Austria, Netherlands, France, Belgium, Poland, United Kingdom, Lithuania, Czech Republic, Slovenia, Germany and Romania participated. Exchange of experience: 3 multilateral events in France, Poland and the Netherlands organised by ECR. 3 workshops in Belgium, Netherlands and Germany. 1 master class in Germany. 1 regional roadside check in Hungary. 2 bilateral roadside checks organised with Hungary. 2016: Concerted checks: 7 concerted checks organised by ECR with participants from Belgium, Croatia, Ireland, Germany, Netherlands, France, Spain, Austria, Poland, Hungary, United Kingdom, Bulgaria, Lithuania, Luxembourg, Czech Republic, Slovenia and Romania. Exchange of experience: 4 multilateral events in France, Belgium, Poland and Hungary by ECR. 1 workshop in Belgium organised by CORTE and CVSA USA. 2 master classes organised in Germany by ECR. 4 bilateral roadside checks organised between Romania and Hungary.
Slovakia	Concerted checks: • 7 checks with the Czech Republic.

	• 4 checks with Hungary • 1 check with Poland.
Slovenia	Concerted checks: 3 concerted checks with Hungary and Croatia. Exchange of experience: Slovenia has a status of an Active observer in the ECR organisation. In 2015 and 2016 inspectors participated in Multilateral concerted checks in other ECR member countries.
Spain	Concerted checks: 8 ECR coordinated controls (4 per year each in 2015 and 2016) 6 ECR/TIPSOL coordinated controls (3 per year each in 2015 and 2016)
Sweden	2015: Concerted checks: 7 different checks with Norway, Denmark, Poland and Romania. 2016: Concerted checks: 8 different checks with Norway, Denmark, Germany, Hungary and their neighbouring countries.
United Kingdom	2015 and 2016: Concerted checks: 7 checks each year with ECR members including Ireland, Belgium, Luxembourg, Netherlands, France, Germany, Poland, Austria, Romania, Bulgaria, Hungary Lithuania, Slovenia, Czech Republic and Croatia. Exchange of experience: UK hosted an exchange in 2015 involving Great Britain and the Netherlands on remote enforcement and targeting. In 2016 UK hosted an exchange involving Great Britain, Belgium, Netherlands, Luxembourg, Slovenia, France, Poland and Ireland.

13. Penalties

Article 19 of Regulation (EC) No 561/2006 sets out that Member States shall lay down rules on penalties that are to be effective, proportionate, dissuasive and non-discriminatory. Member States shall notify the Commission of these measures and the rules on penalties. For the current report, the Commission has been notified of the following:

Multiple Member States namely Austria, Bulgaria, Czech Republic, Denmark, Estonia, Spain, Ireland, the Netherlands, Romania, Slovenia and the UK have increased fines in 2015 and 2016 for tachograph related infringements – such as fraud, lack of tachograph systems but also relating to the rules for driving and rest times. Denmark for example introduced a general tolerance limit of 5% with anything beyond this number being prosecuted. In addition, drivers who deviate from the maximum driving time or minimum rest time by more than 30% will be disqualified. Similarly, Romania introduced a system where vehicles can be immobilised in order to restore compliance with the driving and resting time rules.

A number of Member States raised the amount of the fines in proportion to the severity of the infringement. These Member States have also indicated that the higher fines have ensured more compliance with the rules and regulations by both undertakers and drivers.

14. Exceptions granted by Member States

According to Article 13 of Regulation (EC) No 561/2006, Member States may grant exceptions from the application of provisions on driving times, breaks and rest periods, provided that certain specific conditions are met and that the overall objectives of the Regulation are not prejudiced. Member States are obliged to inform the Commission of the exceptions granted.

Since the previous report, Romania added the exceptions of (f), (g), (h), (j) – concerning vehicles under 7.5t for gas/electricity, circus and funfair vehicles, milk or animal feed transportation and hub facilities.

The same information is also available on the Commission's website[21].

[21] https://ec.europa.eu/transport/sites/transport/files/national_exceptions_regulation_2006_561.pdf

National exceptions Regulation (EC) No 561/2006																											
	Austria	Belgium	Bulgaria	Croatia	Cyprus	Czech Republic	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Ireland	Italy	Latvia	Lithuania	Luxembourg	Malta	Netherlands	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden	United Kingdom
13.1 a: non-competing public authorities[1]	X	X		X	X	X	X			X	X		X	X		X	X			X	X		X	X	X	X		X[1]
13.1 b: agricultural etc. own activity < 100 km[2]	X	X	X	X	X	X	X	X[2]	X	X[2]	X		X	X		X	X			X	X	X	X	X	X[2]	X[2]	X	X[2]
13.1 c:agricultural/forestry tractors <100 km[3]	X	X	X	X	X	X	X	X		X	X		X	X		X	X	X			X	X	X	X	X[3]	X	X	X
13.1 d: <7,5 tons universal services <100 km[4]		X[4]	X[4]	X[4]	X[4]	X[4]			X[4]	X[4]	X		X[4]	X	X[4]	X[4]	X[4]	X[4]		X[4]	X[4]	X[4]	X	X[4]	X	X[4]		X[4]
13.1 e: operating on islands <2300 square km[5]				X	X	X	X		X	X[5]	X			X					X		X	X				X[5]	X	X
13.1 f: <7,5 t <100 km gas/ electricity[6]				X[6]	X[6]	X[6]		X[6]	X[6]	X[6]	X		X[6]	X			X[6]				X[6]	X[6]	X	X[6]	X	X[6]		X
13.1 g: instruction/examination driving licence/CPC[7]		X		X		X	X	X	X		X			X	X[7]	X	X	X[7]		X	X	X		X	X	X	X	X
13.1 h: sewerage/flood protection/water etc[8]	X[8]	X		X	X	X	X	X	X	X[8]	X		X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
13.1 i: non-comm. passenger transp. between 10-17 seats[9]	X	X		X	X	X	X	X[9]	X	X[9]	X		X	X		X	X				X	X		X			X	X
13.1 j: circus/funfair[10]	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X		X	X	X	X	X	X	X[10]	X	X
13.1 k: mobile projects for education	X	X		X	X	X	X		X	X	X		X	X		X	X			X	X	X	X	X	X	X		X
13.1 l: milk/animal feed from/to farms[11]	X[11]	X		X	X	X	X	X[11]	X	X[11]	X[11]		X	X	X	X[11]	X[11]	X		X	X	X	X	X	X	X[11]	X	X
13.1 m: transporting money/ valuables[12]	X[12]	X	X	X	X	X	X		X	X	X		X	X[12]		X	X			X	X	X	X	X	X	X		
13.1 n: animal waste or carcasses[13]		X		X	X	X	X	X	X	X	X[13]		X	X		X	X			X	X	X	X	X	X		X	X
13.1 o: hub facilities[14]	X	X	X	X	X	X	X		X	X	X		X	X		X	X			X[14]	X	X	X	X	X	X		X
13.1 p: live animals farms -> markets and vice versa<100km[15]	X	X[15]		X[15]	X[15]	X[15]		X[15]	X[15]	X[15]	X		X[15]	X		X[15]	X[15]			X[15]	X[15]	X[15]	X	X[15]	X	X[15]	X[15]	X

1. The following Member State introduced additional restrictions:
    a. The United Kingdom: a vehicle does not fall within the description specified unless the vehicle:

(a) is being used for the provision of ambulance services- (i) by a relevant National Health Service (NHS) body, or (ii) in pursuance of arrangements made by or at the request of a relevant NHS body, or made with the Secretary of State or with the Welsh or Scottish Ministers;
(b) is being used for the transport of organs, blood, equipment, medical supplies or personnel - (i) by a relevant NHS body, or (ii) in pursuance of arrangements of the kind mentioned in paragraph (a)(ii)
(c) is being used by a local authority to provide, in exercise of social services functions - (i) services for elderly people, or (ii) services for persons to whom section 29 of the National Assistance Act 1948 (welfare arrangement for physically and mentally handicapped persons) applies;
(d) is being used by Her Majesty's Coastguard, a general lighthouse authority or a local lighthouse authority;
(e) is being used for the purpose of maintaining railways by the British Railways Board, any holder of a network licence (within the meaning of Part 1 of the Railways Act 1993) which is a company wholly owned by the Crown (within the meaning of that Act), Transport for London, any wholly owned subsidiary of Transport for London, a Passenger Transport Executive or a local authority
(f) is being used by the British Waterways Board for the purpose of maintaining navigable waterways

2. The following Member States introduced additional restrictions:
    a. Estonia - within a radius of 50 km of the place where the vehicle is usually based, including towns within this area
    b. France - only vehicles or combinations of vehicles up to 7,5 tonnes and only within a radius of 50 km
    c. Slovenia – within a radius of up to 50 km
    d. Spain – agriculture etc. own activity within a range < 50 km
    e. The United Kingdom - a vehicle which is being used by a fishery undertaking does not fall within the description specified unless the vehicle is being used:

(a) to carry live fish, or
(b) to carry a catch of fish from the place of landing to a place where it is to be processed

3. The following Member States introduced additional restrictions:
    a. Slovenia - within a radius of up to 50 km
4. The following Member States introduced additional restrictions:
    a. Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Finland, France, Hungary, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Spain – within a radius < 50km
    b. The United Kingdom – vehicles between 3.5 - 7.5 tonnes used by universal service providers within a 50 km radius of the base of the undertaking require a tachograph
5. The following Member States introduced additional restrictions:
    a. France - operating on islands <400 square km
    b. Spain – operating on islands < 250 square km
6. The following Member States introduced additional restrictions:
    a. Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Lithuania, Poland, Portugal, Slovakia, Spain – within a radius < 50km
7. The following Member States introduced additional restrictions:
    a. Italy - it refers only to the obligation of equipping and using tachograph
    b. Luxembourg - exception only for the (learning) driver, instructor must respect Regulation (EC) No 561/20006
8. The following Member States introduced additional restrictions:
    a. Austria:

(a) vehicles used by the regional authorities' road construction offices and driven by employees of the provinces or municipalities are entirely exempted
(b) vehicles used in connection with sewerage, flood protection, water, gas and electricity supply, telegraph and telephone services, radio and television broadcasting, and the detection of radio or television transmitters or receivers are entirely exempted where driving of vehicles does not constitute the driver's main activity
(c) vehicles used by household refuse collection authorities are exempted only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006
(d) vehicles used in winter by road construction offices, where not covered by the exemption under point 9 a.(a), are exempted only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006

   b. France - for door-to-door household refuse collection and disposal, only within a radius of 100 km

9. The following Member States introduced additional restrictions:
   a. Estonia - owner/authorised user of a vehicle with 10-17 seats who is a parent of 4/more children, respective entry made on a registration certificate of the vehicle and the vehicle is used for non-commercial passenger transport
   b. France - not for the transport of children
10. The following Member State introduced additional restrictions:
   a. Spain - only when own activity
11. The following Member States introduced additional restrictions:
   a. Austria - vehicles used to collect raw milk from farms exempted only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006
   b. Estonia, Latvia and Lithuania, as of 1/01/2008, mutually apply the exception from Articles 5 to 9 to vehicles used for milk collection from farms,...etc., only in cases where the service radius does not exceed 100 km
   c. France - within a radius of up to 150 km of the base of the undertaking
   d. Germany – within a radius of 100km
   e. Spain – milk/animal feed from /to farms within a range < 100 km
12. The following Member States introduced additional restrictions:
   a. Austria – exception only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006
   b. Ireland - vehicles specially designed for mobile banking, exchange and saving transactions
13. The following Member State introduced additional restrictions:
   a. Germany - within a radius of up to 250 km of the base of the undertaking
14. The following Member State introduced additional restrictions:
   a. The Netherlands – on or between hub facilities within a range of 5 km
15. The following Member State introduced additional restrictions:
   a. Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovakia, Spain, Sweden – within a radius < 50km

16. Comments and proposals

Some Member States shared their views regarding the Commission's proposal as part of the Mobility Package I[22]. Finland express its doubts regarding the amendment to Directive 2006/22/EC that would extend the scope of the monitoring requirements to include the Road Transport Working Time Directive 2002/15/EC which could lead to problems to coordinate those in practice. Slovakia also shared its doubts regarding the proposal to amend Regulation (EC) No 561/2006. This related in particular to the provisions on the duration for the regular weekly rest[23], the total accumulated driving time during any two consecutive week[24] Regulation (EC) No 561/2006 and in particular the provision of Article 8.2 on new daily rest period.

Some Member States referred to the training of enforcers at national level and the importance of joint inspections. The Dutch authorities highlighted that increasingly sophisticated tachograph fraud and manipulation techniques make monitoring and enforcement more difficult and take up a large amount of the available inspection capacity. Professional development training for inspection staff and the expansion and renewal of inspection methods and equipment create significant pressure on the available work force and funds. Therefore, the Netherlands invests heavily in sharing and maintaining the necessary expertise and information within the ECR, TISPOL and Benelux networks in order to keep abreast of developments in the field.
The Czech Republic also flagged out the importance of proactive involvement of Czech representatives in activities on the ECR agenda and that there was desire for a constant deepening of professional knowledge regarding inspection procedures in all specific areas of inspection activity.

Austria authorities also shared the fact that the training programme of their Federal Ministry of the Interior and the Federal Ministry of Labour, Social Affairs and Consumer Protection includes regular courses for the inspection bodies. The training covers social legislation and the detection of manipulation and is based on the TRACE project.

It is worth noting that the Commission is planning on elaborating common criteria for training of enforcers across the EU which would allow for a more consistent approach to enforcement throughout the EU.

17. Interpretation of Regulation (EC) No 561/2006 and Directive 2002/15/EC

In the recent years, the Court of Justice of the European Union shed light on interpretation of Regulation (EC) No 561/2006 by means of the following preliminary ruling:

Judgment of the European Court of Justice of 20 December 2017 in case C-102/16

The case relates to the ban for drivers to take their regular weekly rest period in their vehicle. Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport requires drivers to take a regular daily rest period of at least 11 hours (which may, subject to certain conditions, be reduced to 9 hours) and a regular weekly rest period of 45 hours (which may, subject to certain conditions,be reduced to 24 hours). The regulation adds that, if a driver chooses to do so, daily rest periods and reduced weekly rest periods away from base may be taken in the vehicle, as long as it has suitable sleeping facilities for each driver and the vehicle is stationary. The question at stake in this case was whether Article 8(6) and (8) of Regulation No 561/2006 must be interpreted as meaning that the regular

[22] Proposal for a directive of the European Parliament and of the Council amending Directive 2006/22/EC as regards enforcement requirements and laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector - COM(2017) 278 final
[23] Article 4(h) of Regulation (EC) No 561/2006
[24] Article 6.3 of Regulation (EC) No 561/2006

weekly rest periods referred to in Article 8(6) of the regulation may not be spent inside the vehicle. The ECJ concluded that the EU regulation harmonising social legislation in the road transport sector clearly prohibits drivers from taking their regular weekly rest periods in a vehicle

Regarding judicial interpretation by national courts, none of the Member States reported any significant national court decisions interpreting Directive 2002/15/EC during 2015-2016.

18. Monitoring and control arrangements of Directive 2002/15/EC in Member States

Member States indicated that they had implemented Directive 2002/15/E. The monitoring of implementation of Directive 2002/15/EC is ensured at national level by different authorities from one Member State to another. Overall and across the EU, the bodies responsible for the monitoring and control arrangements of Directive 2002/15/EC are the labour inspectorate, road transport agency, occupational health and safety authority, road safety authorities and road transport inspections.

19. Issues in relation to enforcement of Directive 2002/15/EC

A majority of Member States did not report having experienced issues in relation to enforcement of Directive 2002/15/EC. Some Member States shared specific issues they face at national level.

In Italy, definitions on "time devoted to all road transport activities" and "periods of time during which the mobile worker cannot dispose freely of his time" cause interpretation issues and Italy feels a need to clarify those definitions. The United Kingdom noted that working time records are not checked at the roadside due to the fact that 17 weeks of records are not required to be held in the vehicle. In Czech Republic, a new work pattern by which one employee (driver) works for two employers (transport undertakings) gave rise to difficulties to implement the Directive. Indeed, such practices were reported as being difficult to prove as only a transport undertaking subject to Regulation (EC) No 561/2006 is required to request a copy of a working-time record from another employer. Slovakia reported its infrastructure as lagging behind considering the expansion of road freight transport and that it was thus working on its motorway network and on building more parking areas.

20. Statistics on working days checks at the roadside and premises

MS	Minimum checks (3%) for 2015-2016	Number of working days checked					
		Total	at roadside	at premises	% at roadside	% at premises	% of working days checked
AT	1,409,760	5,059,469	4,300,665	758,804	85%	15%	10.8%
BE	1,620,095	1,626,823	1,120,361	506,462	69%	31%	3.0%
BG	1,955,817	7,330,353	3,034,729	4,295,624	41%	59%	11.2%
HR	666,288	1,114,909	740,369	374,540	66%	34%	5.0%
CY	178,497	220,003	105,836	114,167	48%	52%	3.7%
CZ	1,200,698	3,281,320	2,366,610	914,710	72%	28%	8.2%
DK	660,000	684,287	417,975	266,312	61%	39%	3.1%
EE	224,400	310,946	157,490	153,456	51%	49%	4.2%
FI*	1,110,608	1,657,824	1,084,986	572,838	65%	35%	4.5%
FR	6,704,624	26,486,976	21,627,286	4,859,690	82%	18%	11.9%
DE	7,294,522	27,838,789	23,974,917	3,863,872	86%	14%	11.4%
EL	4,357,200	215,290	159,204	56,086	74%	26%	0.1%

HU	2,042,508	4,661,736	4,072,236	589,500	87%	13%	6.8%
IE	1,147,442	1,833,426	136,826	1,696,600	7%	93%	4.8%
IT	8,444,124	9,771,694	7,669,304	2,102,390	78%	22%	3.5%
LV	478,498	1,627,984	700,391	927,593	43%	57%	10.2%
LT	860,736	883,750	534,045	349,705	60%	40%	3.1%
LU	160,502	191,020	61,045	129,975	32%	68%	3.6%
MT	2,304	2,174	1,092	1,082	50%	50%	2.8%
NL	1,688,507	1,219,695	956,159	263,536	78%	22%	2.2%
PL	4,291,401	9,323,443	6,364,406	2,959,037	68%	32%	6.5%
PT	831,864	1,853,295	1,349,800	503,495	73%	27%	6.7%
RO	2,294,510	5,305,977	2,607,248	2,698,729	49%	51%	6.9%
SK	504,000	605,635	252,132	353,503	42%	58%	3.6%
SL	466,860	660,676	427,606	233,070	65%	35%	4.2%
ES	5,413,406	9,965,513	6,586,653	3,378,860	66%	34%	5.5%
SE	1,029,600	1,636,268	1,057,713	578,555	65%	35%	4.8%
UK	5,839,657	6,287,639	5,031,298	1,256,341	80%	20%	3.2%
TOTAL	**62,878,428**	**131,656,914**	**96,898,382**	**34,758,532**	**74%**	**26%**	**6.3%**

* These working days checked in FI are in reality much higher as the numbers reported do not include days which were a driver's weekly rest.

21. Statistics on number of working days checked at roadside by country of registration of the vehicle

MS	Nationals	Other EU nationals	non-EU nationals	Total
AT	92,848	160,788	10,411	264,047
BE	36,916	54,168	2,317	53,320
BG	209,717	40,799	45,380	295,896
HR	20,282	3,742	7,272	31,006
CY	6,598	2	-	6,600
CZ	70,156	53,236	4,840	126,766
DK	17,858	9769*	no data	no data
EE	6,854	996	178	8,028
FI**	no data	no data	no data	1,085,486
FR	301,308	514,201	12,873	775,348
DE	757,723	548,554	60,233	2,892,104
EL	33,479	4,560	2,769	40,808
HU	82,241	50,134	13,062	143,210
IE	8,928	424	4	9,361
IT	573,715	86,619	9,428	669,705
LV	15,177	8,604	2,624	26,052
LT	34,110	17,312	14,503	60,898
LU	1,059	1,969	31	3,013
MT	26	13	-	39
NL	14,417	17,737	817	32,971
PL	353,622	90,616	103,420	527,725
PT	68,077	2,354	16	61,666
RO	386,521	29,718	24,057	327,088
SK	6,370	6,840	1,003	13,911
SL	6,787	5,288	8,120	19,334
ES	428,135	49,873	2,661	458,487
SE	21,715	16,787	804	44,704
UK	82,976	97,375	4,779	185,130
TOTAL	**3,637,866**	**1,873,598**	**334,547**	**8,162,703**

* This figure under other EU nationals includes also figures of non-EU nationals
** These working days checked in FI are in reality much higher as the numbers reported do not include days which were a driver's weekly rest

22. Statistics on checks at roadside by the number of drivers checked, by country of registration and by type of carriage

MS	Total drivers	Nationals	Other EU nationals	Non-EU nationals	Carriers of passengers	Carriers of goods
AT	264,047	92,848	160,788	10,411	2,563	261,484
BE	93,401	36,916	54,168	2,317	7,539	85,862
BG	295,896	209,717	40,799	45,380	54,162	241,734
HR	31,296	20,282	3,742	7,272	2,957	28,339
CY	6,600	6,598	2	-	2,189	4,411
CZ	128,232	70,156	53,236	4,840	6,243	121,989
DK	27,627	17,858	9769*	-	306	26,764
EE	8,028	6,854	996	178	306	7,722
FI	4,316	251	1,120	2,945	no data	no data
FR	828,382	301,308	514,201	12,873	57,690	770,692
DE	1,366,510	757,723	548,554	60,233	35,489	1,331,021
EL	40,808	33,479	4,560	2,769	27,783	13,025
HU	145,437	82,241	50,134	13,062	1,746	143,691
IE	9,356	8,928	424	4	341	9,015
IT	669,762	573,715	86,619	9,428	31,349	638,413
LV	26,405	15,177	8,604	2,624	785	25,620
LT	65,925	34,110	17,312	14,503	5,086	60,839
LU	3,059	1,059	1,969	31	73	2,986
MT	39	26	13	-	-	39
NL	32,971	14,417	17,737	817	2,251	30,720
PL	547,658	353,622	90,616	103,420	117,079	430,579
PT	70,447	68,077	2,354	16	6,283	64,164
RO	440,296	386,521	29,718	24,057	137,604	302,692
SK	14,213	6,370	6,840	1,003	1,606	12,607
SL	20,195	6,787	5,288	8,120	2,084	18,111
ES	480,669	428,135	49,873	2,661	31,236	449,433
SE	39,306	21,715	16,787	804	982	38,324
UK	185,130	82,976	97,375	4,779	10,832	174,298
TOTAL	**5,846,011**	**3,637,866**	**1,873,598**	**334,547**	**546,564**	**5,294,574**

* DK: also includes figures of non-EU nationals

23. Statistics on checks at roadside by the number of vehicles stopped by country of registration and type of tachograph

MS	Total	Nationals	Non-nationals	Third nationals	Analogue tacho	% Analogue	Digital tacho	% Digital
AT	264,047	92,848	160,788	10,411	23,568	9%	240,479	91%
BE	53,320	18,300	33,157	1,863	14,449	27%	38,871	73%
BG	295,896	209,718	40,799	45,379	70,375	24%	225,521	76%
HR	31,006	20,220	3,643	7,143	18,864	61%	12,020	39%
CY	6,600	6,598	2	-	4,759	72%	1,841	28%
CZ	126,766	69,780	52,285	4,701	37,287	29%	89,479	71%
DK	No data							

EE	8,028	6,853	996	179	3,934	49%	4,094	51%
FI	1,085,486				3,382	81%	785	19%
FR	775,348	297,480	466,650	11,218	115,617	15%	659,731	85%
DE	2,892,104	1,744,896	1,001,779	145,429	523,487	18%	2,368,617	82%
EL	40,808	33,479	4,560	2,769	29,783	73%	11,025	27%
HU	143,210	80,734	47,355	15,121	23,203	16%	120,007	84%
IE	9,361	8,928	429	4	2,293	24%	7,068	76%
IT	669,705	573,669	86,613	9,423	308,395	46%	361,310	54%
LV	26,052	14,824	8,604	2,624	10,258	39%	15,794	61%
LT	60,898	27,926	20,115	12,857	31,188	51%	29,710	49%
LU	3,013	1,045	1,938	30	415	14%	2,598	86%
MT	39	26	13	-	15	38%	24	62%
NL	32,971	14,417	17,737	817	7,248	22%	25,723	78%
PL	527,725	346,020	82,127	99,578	319,046	63%	190,055	37%
PT	61,666	59,527	2,125	14	34,600	56%	27,066	44%
RO	327,088	270,466	33,130	23,492	172,162	53%	154,926	47%
SK	13,911	6,228	6,674	1,009	2,468	18%	11,443	82%
SL	19,334	5,713	5,391	8,230	7,207	37%	12,127	63%
ES	458,487	408,722	47,313	2,452	133,457	29%	325,030	71%
SE	44,704	25,231	18,549	924	8,143	18%	36,561	82%
UK	185,130	82,976	97,375	4,779	72,269	39%	112,861	61%
TOTAL	**8,162,703**	**4,426,624**	**2,240,147**	**410,446**	**1,977,872**	**28%**	**5,084,766**	**72%**

24. Statistics on checks at premises by the number of drivers, undertakings and working days checked

MS	Number of drivers checked	Number of undertakings checked	Number of working days checked
AT	11,900	1,633	758,804
BE	22,538	4,208	506,462
BG	153,415	10,332	4,295,624
HR	3,636	716	374,540
CY	1,808	796	114,167
CZ	7,545	952	914,710
DK	17,734	1,910	266,312
EE	3,296	249	153,456
FI	14,672	2,257	572,838
FR	95,671	6,921	4,859,690
DE	59,609	6,697	3,863,872
EL	1,739	632	56,086
HU	21,052	844	589,500
IE	925	653	1,696,600
IT	25,716	8,013	2,102,390
LV	4,222	491	927,593
LT	9,210	895	349,705
LU	3,909	221	129,975
MT	4	3	1,082
NL	9,412	962	263,536
PL	33,150	4,421	2,959,037
PT	6,382	954	503,495
RO	17,009	50,229	2,698,729
SK	6,211	868	353,503
SL	1,541	330	233,070

ES	117,390	21,537	3,378,860
SE	11,534	296	578,555
UK	1,795	19,577	1,256,341
TOTAL	**663,025**	**147,597**	**34,758,532**

25. Statistic on types of offences at roadside

MS	Driving time	Breaks	Rest periods	28 days record sheet	Lack/ availability of records for other work	Incorrect functioning	Misuse and manipulation	Total offences
AT	70229	96841	106648	54543	37650	3212	4531	373654
BE	3612	2101	5634	696	239	540	2683	15505
BG	146	417	803	814	172	47	63	2462
HR	808	1568	3145	1961	198	49	2044	9773
CY	111	527	299	222	25	532	0	1716
CZ	6178	9970	13468	28155	1985	815	842	61413
DK	0	0	0	0	0	0	0	0
EE	258	896	1100	408	376	245	488	3771
FI	154	131	61	87	0	33	8	5461
FR	18623	9702	38507	19397	16381	15715	1206	119530
DE	107027	92051	122780	58170	75845	0	198963	654836
EL	2416	4798	4989	3310	356	694	1215	17778
HU	1463	2430	3406	1179	1272	2466	900	13116
IE	434	1396	863	195	143	1327	273	4631
IT	14650	14010	20226	50426	18035	3251	1698	122296
LV	343	439	972	1594	0	30	45	3423
LT	1426	1298	3361	4070	1170	789	303	12417
LU	308	157	330	1	31	6	50	883
MT	2	8	8	0	2	8	0	28
NL	2941	3630	6082	131	2	2211	2378	17375
PL	23014	17919	56230	17862	14318	6643	68410	204396
PT	4254	5614	6189	9940	2642	2096	5367	36102
RO	10573	10804	18041	3859	142	1198	839	45456
SK	1369	3101	3401	750	39	128	73	8861
SL	1371	3094	3936	738	365	641	880	11025
ES	29948	18903	60341	33087	0	8364	1010	151653
SE	6283	13274	14698	149	164	95	122	34785
UK	4141	5054	18629	14362	4032	41	23183	69442
TOTAL	**312082**	**320133**	**514147**	**306106**	**175584**	**51176**	**317574**	**2001788**

26. Statistics on types of offences at premises

MS	driving time	breaks	rest periods	driving time records	incorrect functioning or recording equipment	Manipulation of recording equipment	Lack/ availability of records for other work	Total of offences
AT	1414	5783	2571	11	444	18	0	10241
BE	4189	8802	7231	745	90	220	0	21277
BG	239	91	169	256	14	31	7	807

HR	526	2035	3467	30	2	1820	454	8342
CY	554	4167	5662	82	1176	0	477	12118
CZ	2269	3572	3779	13071	68	1054	550	24363
DK	214	1123	1348	291	3	0	0	2979
EE	439	483	1180	122	0	0	0	2224
FI*	4058	16257	12202	273	144	756	230	33981
FR	2491	4195	9911	1078	73	1701	785	22776
DE	71087	197839	124338	0	0	22086	20213	441759
EL	77	4	91	4	0	0	0	204
HU	300	701	2605	101	608	207	159	5314
IE*	1736	10619	5520	164	562	58	42	19351
IT	5619	14299	11588	74204	722	874	230	111064
LV*				No details				271505
LT	1781	767	1524	603	0	252	13	5601
LU	1612	3533	3473	4	6	28	39	8712
MT	4	1	2	0	0	0	0	7
NL	4648	6094	4800	2420	741	7306	0	26014
PL	6529	9285	21538	285654	193	11719	21407	362373
PT	98	54	125	5	0	4	16	313
RO	792	1631	3992	841	28	54	0	7343
SK	3004	5513	7754	161	98	34	7	16973
SL	1410	718	1352	342	42	133	82	4079
ES	6917	3705	9901	4705	343	222	84	25877
SE	980	4406	3597	2693	551	0	10279	7063
UK	474	1540	1198	0	3564	153	128	22506
TOTAL	**123461**	**307217**	**250918**	**387860**	**9472**	**48730**	**55202**	**1475166**

* no full breakdown of offences provided.

22. Stakeholders' views on implementation of Directive 2002/15/EC in Member States

Only ten Member States clearly indicated that stakeholders were consulted in the framework of this reporting exercise[25]. This number is stable compared to the last report but still low compared to previous years[26]. In all Member States, this consultation consisted in getting the views of representatives of employers and trade unions. In six out of ten Member States, social partners were consulted but their views did not give rise to a separate section[27]. They were rather incorporated throughout the document or, in a few cases, it was indicated that social partners did not have any comments. Therefore, opinions from social partners cannot be analysed as this does not constitute a representative sample[28].

[25] Cyprus, Estonia, Finland, France, Ireland, Italy, Lithuania, Poland, Slovenia and Slovakia
[26] Ten Member States consulted stakeholders for the last reporting period and 16 the reporting period 2011-2012.
[27] Cyprus, Estonia, Finland, France, Lithuania, Poland,
[28] Ireland, Italy, Slovenia and Slovakia