Is áis doiciméadúcháin amháin an téacs seo agus níl aon éifeacht dhlíthiúil aige. Ní ghabhann institiúidí an Aontais aon dliteanas orthu féin i leith inneachar an téacs. Is iad na leaganacha de na gníomhartha a foilsíodh in Iris Oifigiúil an Aontais Eorpaigh agus atá ar fáil ar an suíomh gréasáin EUR-Lex na leaganacha barántúla de na gníomhartha ábhartha, brollach an téacs san áireamh. Is féidir teacht ar na téacsanna oifigiúla sin ach na naisc atá leabaithe sa doiciméad seo a bhrú

►B

COMMISSION REGULATION (EU) 2016/403

of 18 March 2016

supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator, and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council

(Text with EEA relevance)

(IO L 74, 19.3.2016, lch. 8)

Arna leasú le:

		Iris Oifigiúil		
		Uimh	Leathanach	Dáta
►M1	Rialachán Cur Chun Feidhme (AE) 2022/694 ón gCoimisiún an 2 Bealtaine 2022	L 129	22	3.5.2022

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COMMISSION REGULATION (EU) 2016/403

of 18 March 2016

supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator, and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council

(Text with EEA relevance)

Article 1

1. This Regulation establishes a common list of categories, types and degrees of serious infringements of the Union rules in the commercial road transport, as laid down in Annex I to this Regulation, which, in addition to those set out in Annex IV to Regulation (EC) No 1071/2009, may lead to the loss of good repute of a road transport operator.

2. This Regulation provides for the maximum frequency of occurrence beyond which repeated serious infringements shall be regarded as more serious, by taking into account the number of drivers used for the transport activities managed by the transport manager, as laid down in Annex II.

3. Member States shall take into account information on the serious infringements referred to in paragraphs 1 and 2 when carrying out the national administrative procedure on assessing good repute.

Article 2

Annex III to Directive 2006/22/EC is amended as set out in Annex III to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2017.

This Regulation shall be binding in its entirety and directly applicable in Member States.

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ANNEX I

▼M1

Sáruithe tromchúiseacha a chatagóiriú

(dá dtagraítear in Airteagal 1)

Sna táblaí seo a leanas tá catagóirí agus cineálacha sáruithe tromchúiseacha ar rialacha an Aontais maidir le hiompar tráchtála de bhóthar, arna roinnt i dtrí chatagóir thromchúise de réir mar a d'fhéadfadh na sáruithe sin bheith ina gcúis le riosca báis nó gortuithe tromchúiseacha agus/nó leis an iomaíocht sa mhargadh iompair de bhóthar a shaobhadh.

1. **Grúpaí sáruithe ar Rialachán (CE) Uimh. 561/2006 ó Pharlaimint na hEorpa agus ón gComhairle** [1] **(Am tiomána agus scíthe)**

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:		LEIBHÉAL TROMCHÚISE [1]		
				MSI	VSI	SI
	Criú					
1.	Airteagal 5(1)	Ní urramaítear na haoiseanna íosta do stiúrthóirí				X
	Tréimhsí tiomána					
2.	Airteagal 6(1)	Téann sé thar an am tiomána laethúil de 9h mura gceadaítear síneadh go 10h a chur leis sin	10h ≤ … < 11h			X
3.			11h ≤ …		X	
4.		Téann sé thar an am tiomána laethúil 9h faoi 50 % nó níos mó	13h30 ≤ …	X		
5.		Téann sé thar an am tiomána laethúil 10h má cheadaítear síneadh ama	11h ≤ … < 12h			X
6.			12h ≤ …		X	
7.		Téann sé thar an am tiomána laethúil 10h faoi 50 % nó níos mó	15h ≤ …	X		
8.	Airteagal 6(2)	Téann sé thar an am tiomána seachtainiúil	60h ≤ … < 65h			X
9.			65h ≤ … < 70h		X	
10.		Téann sé thar an am tiomána seachtainiúil 9h faoi 25 % nó níos mó	70h ≤ …	X		
11.	Airteagal 6(3)	Téann sé thar an am tiomána iomlán uasta i rith 2 seachtaine as a chéile	100h ≤ … < 105h			X
12.			105h ≤ … < 112h30		X	
13.		Téann sé thar an am tiomána iomlán uasta i rith 2 seachtaine faoi 25 % nó níos mó	112h30 ≤ …	X		
	Sosanna					
14.	Airteagal 7	Téann sé thar am tiomána 4,5h gan bhriseadh sula dtógann an tiománaí sos	5h ≤ … < 6h			X
15.			6h ≤ …		X	

[1] Rialachán (CE) Uimh. 561/2006 ó Pharlaimint na hEorpa agus ón gComhairle an 15 Márta 2006 maidir le comhchuibhiú reachtaíochta sóisialta áirithe a bhaineann le hiompar de bhóthar agus lena leasaítear Rialachán (CEE) Uimh. 3821/85 ón gComhairle agus (CE) Uimh. 2135/98 agus lena n-aisghairtear Rialachán (CEE) Uimh. 3820/85 ón gComhairle (IO L 102, 11.4.2006, lch. 1).

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Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:		LEIBHÉAL TROM-CHÚISE ([1])		
				MSI	VSI	SI
		Tréimhsí Scíthe				
16.	Airteagal 8(2)	Tréimhse scíthe laethúil neamhleor is giorra ná 11h mura gceadaítear tréimhse scíthe laethúil laghdaithe	8h30 ≤ … < 10h			X
17.			… < 8h30		X	
18.		Tréimhse scíthe laethúil laghdaithe neamhleor is giorra ná 9h má cheadaítear laghdú	7h ≤ … < 8h			X
19.			… < 7h		X	
20.		Tréimhse scíthe laethúil scoilte neamhleor is giorra ná 3h + 9h	3h + [7h ≤ … < 8h]			X
21.			3h + […< 7h]		X	
22.	Airteagal 8(5)	Tréimhse scíthe laethúil neamhleor níos lú ná 9h le haghaidh sealaíocht tiomána	7h ≤ … < 8h			X
23.			… < 7h		X	
24.	Airteagal 8(6)	Tréimhse scíthe sheachtainiúil laghdaithe neamhleor is giorra ná 24h	20h ≤ … < 22h			X
25.			… < 20h		X	
26.		Tréimhse scíthe sheachtainiúil neamhleor is giorra ná 45h mura gceadaítear tréimhse scíthe sheachtainiúil laghdaithe	36h ≤ … < 42h			X
27.			… < 36h		X	
28.	Airteagal 8(6)	Téann sé thar 6 thréimhse 24h as a chéile i ndiaidh na tréimhse scíthe seachtainiúla roimhe sin	3h ≤ … < 12h			X
29.			12h ≤ …		X	
30.	Airteagal 8(6b)	Níl aon sos cúitimh i leith dhá thréimhse scíthe sheachtainiúla laghdaithe as a chéile			X	
31.	Airteagal 8(8)	Tréimhse scíthe sheachtainiúil rialta nó aon tréimhse scíthe sheachtainiúil is faide ná 45h a ghlactar i bhfeithicil			X	
32.	Airteagal 8(8)	Ní chlúdaíonn an fostóir costais lóistín lasmuigh den fheithicil				X
	Maolú ar riail 12 lá					
33.	Airteagal 8(6a)	Téann sé thar 12 thréimhse 24 uair an chloig as a chéile i ndiaidh scíth sheachtainiúil rialta roimhe sin	3h ≤ … < 12h			X
34.			12h ≤ …		X	
35.	Airteagal 8(6a), Pointe (b)(ii)	Tréimhse scíthe sheachtainiúil a ghlactar tar éis 12 thréimhse 24h as a chéile	65h < … ≤ 67h			X
36.			… ≤ 65h		X	
37.	Airteagal 8(6a), pointe (d)	Le linn na tréimhse tiomána, idir 22.00 agus 6.00, os cionn 3 uair an chloig roimh an sos, i gcás nach ndéantar sealaíocht ar thiomáint na feithicle	3h < … < 4,5 h			X
38.			4,5 h ≤ …		X	
	Eagrúchán oibre					
39.	Airteagal 8(8a)	Ní eagraíonn an gnóthas iompair obair na dtiománaithe sa chaoi is gur féidir leis na tiománaithe filleadh ar ionad oibríochtúil an fhostóra, nó filleadh ar áit chónaithe na dtiománaithe			X	

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Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROM-CHÚISE ([1])		
			MSI	VSI	SI
40.	Airteagal 10(1)	An nasc idir pá/íocaíocht agus an fad a taistealaíodh, luas an tseachadta agus/nó an méid earraí arna n-iompar		X	
41.	Airteagal 10(2)	Ní eagraítear obair an tiomanaí nó eagraítear go míchuí í, ní thugtar aon treoir don tiománaí ionas is gur féidir leis an dlí a chomhlíonadh nó tugtar treoracha míchuí dó		X	

([1]) MSI = na sáruithe is tromchúisí / VSI = sárú an-tromchúiseach / SI = sárú tromchúiseach.

2. **Grúpaí sáruithe ar Rialachán (AE) Uimh. 165/2014 ó Pharlaimint na hEorpa agus ón gComhairle ([1]) (Tacagraf)**

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
		Tacagraf a shuiteáil			
1.	Airteagal 3(1), Airteagal (4), Airteagal (4a) agus Airteagal 22	Níl an tacagraf cineálcheadaithe suiteáilte agus ní úsáidtear é	X		
		Tacagraf, cárta tiománaí nó leathán taifid a úsáid			
2.	Airteagal 23(1)	Úsáidtear tacagraf nach ndéanann ceardlann cheadaithe cigireacht air		X	
3.	Airteagal 27	Tá níos mó ná cárta tiomána amháin dá chuid féin ina seilbh ag an tiománaí agus/nó tá níos mó ná cárta tiomána amháin dá chuid féin á n-úsáid aige.		X	
4.		Táthar ag tiomáint le cárta tiománaí falsaithe (*a meastar go bhfuil an tiománaí ag tiomáint gan cárta tiománaí*)	X		
5.		Táthar ag tiomáint le cárta tiománaí nach sealbhóir an chárta sin é an tiománaí (*a meastar go bhfuil an tiománaí ag tiomáint gan cárta tiománaí*)	X		
6.		Táthar ag tiomáint le cárta tiománaí a fuarthas ar bhonn dearbhuithe bréagacha agus/nó ar bhonn doiciméid bhrionnaithe (*a meastar go bhfuil an tiománaí ag tiomáint gan cárta tiománaí*)	X		
7.	Airteagal 32(1)	Níl an tacagraf ag feidhmiú i gceart *(e.g.: ní dhéantar cigireacht cheart air, níl sé calabraithe ná séalaithe mar is ceart)*		X	
8.	Airteagail 32(1) agus 33(1)	Ní úsáidtear an tacagraf mar is ceart *(e.g.: baintear mí-úsáid as d'aon ghnó, nó baintear mí-úsáid dheonach as nó forchuirtear an mhí-úsáid as an tacagraf, tá easpa treoracha ann maidir le húsáid cheart, etc.)*		X	
9.	Airteagal 32(3)	Tá gaireas calaoiseach san fheithicil nó baintear úsáid as gaireas calaoiseach, ar gaireas é atá in ann taifid an tacagraif a mhodhnú	X		
10.		Déantar sonraí arna dtaifeadadh ar na leatháin taifid nó arna stóráil agus arna n-íoslódáil ón tacagraf agus/nó ón gcárta tiománaí a fhalsú, a cheilt, a shochtadh nó a scriosadh	X		

([1]) Rialachán (AE) Uimh. 165/2014 ó Pharlaimint na hEorpa agus ón gComhairle an 4 Feabhra 2014 maidir le tacagraif in iompar de bhóthar, lena n-aisghairtear Rialachán (CEE) Uimh. 3821/85 ón gComhairle maidir le trealamh taifeadta in iompar de bhóthar agus lena leasaítear Rialachán (CE) Uimh. 561/2006 ó Pharlaimint na hEorpa agus ón gComhairle maidir le comhchuibhiú reachtaíochta sóisialta áirithe a bhaineann le hiompar de bhóthar (IO L 60, 28.2.2014, lch. 1).

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Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
11.	Airteagal 33(2)	Ní choinníonn an gnóthas leatháin taifid, asphriontaí ná sonraí a íoslódáladh		X	
12.		Níl sonraí arna dtaifeadadh agus arna stóráil ar fáil go ceann bliana ar a laghad		X	
13.	Airteagal 34(1)	Baintear úsáid mhícheart as na leatháin taifid/as an gcárta tiománaí		X	
14.		Déantar na leatháin taifid nó an cárta tiománaí a tharraingt siar gan údarás, rud a bhfuil tionchar aige ar thaifeadadh na sonraí ábhartha		X	
15.	Airteagal 34(1a)	Baintear úsáid as leathán taifid nó cárta tiománaí chun tréimhse is faide ná an tréimhse dá bhfuil sé beartaithe a chumhdach, agus cailltear na sonraí.		X	
16.	Airteagal 34(2)	Baintear úsáid as leatháin taifid nó cártaí tiománaí atá salach nó a bhfuil damáiste déanta dóibh agus níl na sonraí inléite		X	
17.	Airteagal 34(3)	Ní bhaintear úsáid as ionchur láimhe nuair is gá sin a dhéanamh		X	
18.	Airteagal 34(4)	Ní bhaintear úsáid as an leathán taifid ceart nó an cárta tiománaí ceart sa sliotán ceart (sealaíocht tiomána)			X
19.	Airteagal 34(5)	Baintear úsáid mhícheart as sásra laisc		X	
		Faisnéis a tháirgeadh			
20.	Airteagal 34(5), pointe (b)(v)	Baintear úsáid mhícheart as an gcomhartha báid farantóireachta/ traenach nó ní bhaintear úsáid as			X
21.	Airteagal 34(6)	Ní chuirtear an fhaisnéis is gá ar an leathán taifid		X	
22.	Airteagal 34(7)	Sna taifid ní thaispeántar siombailí na dtíortha ar thrasnaigh an tiománaí a dteorainneacha le linn na tréimhse oibre laethúla			X
23.	Airteagal 34(7)	Sna taifid ní thaispeántar siombailí na dtíortha ar cuireadh tús agus deireadh le tréimhse oibre laethúil an tiománaí iontu			X
24.	Airteagal 36	Diúltú seiceáil a bheith déanta		X	
25.	Airteagal 36	Níltear in ann taifid agus asphriontaí de láimh an lá sin agus an 28 lá roimhe sin a tháirgeadh (go dtí an 30 Nollaig 2024) Níltear in ann taifid agus asphriontaí de láimh a tháirgeadh a rinneadh an lá sin agus an 56 lá roimhe sin (ón 31 Nollaig 2024)		X	
26.	Airteagal 36	Ní féidir cárta tiománaí a thabhairt ar aird, má tá cárta tiománaí i seilbh an tiománaí		X	

▼M1

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
Mífheidhmiú					
27.	Airteagail 37(1) agus 22(1)	Níl an tacagraf deisithe ag feisteoir ceadaithe ná ceardlann cheadaithe		X	
28.	Airteagal 37(2)	Ní dhéanann an tiomanaí an fhaisnéis go léir is gá a mharcáil le haghaidh na dtréimhsí ama, ar tréimhsí iad nach bhfuiltear á dtaifeadadh a thuilleadh agus an tacagraf neamhfhóinteach nó fad a bheidh mífheidhm leis		X	

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3. **Groups of infringements against Directive 2002/15/EC of the European Parliament and of the Council** [1] **(Working time rules)**

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS		
				MSI	VSI	SI
Maximum weekly working time						
1.	Article 4	Exceeding maximum weekly working time of 48h if possibilities to extend to 60h already consumed	56h ≤ … 60h			X
2.			60h ≤ …		X	
3.		Exceeding maximum weekly working time of 60h if no derogation under Article 8 granted	65 ≤ … < 70h			X
4.			70h ≤ …		X	
Breaks						
5.	Article 5.1	Insufficient obligatory break taken when working time between 6 and 9 hours	10 < … ≤ 20 min			X
6.			… ≤ 10 min		X	
7.		Insufficient obligatory break taken when working time over 9 hours	20 < … ≤ 30min			X
8.			… ≤ 20 min		X	
Night work						
9.	Article 7.1	Daily working time in each 24h when night work performed if no derogation under Article 8 granted	11h ≤ … < 13h			X
10.			13h ≤ …		X	

[1] Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35).

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No	LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
Records					
11.	Article 9	Employers falsifying working time records or refusing to provide records to inspection officer		X	
12.		Employed/self-employed drivers falsifying records or refusing to provide records to inspection officer		X	

4. **Groups of infringements against Council Directive 96/53/EC** [1] **(Weight and dimension rules)**

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS		
				MSI	VSI	SI
Weights						
1.	Article 1	Exceed maximum permissible weight for N3 vehicles	5 % ≤ … < 10 %			X
2.			10 % ≤ … < 20 %		X	
3.			20 % ≤ …	X		
4.		Exceed maximum permissible weight for N2 vehicles	5 % ≤ … < 15 %			X
5.			15 % ≤ … < 25 %		X	
6.			25 % ≤ …	X		
Lengths						
7.	Article 1	Exceed maximum permissible length	2 % < … < 20 %			X
8.			20 % ≤ …		X	
Width						
9.	Article 1	Exceed maximum permissible width	2,65 ≤ … < 3,10 metres			X
10.			3,10 metres ≤ …		X	

[1] Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59). The Directive has been amended by Directive (EU) 2015/719 of the European Parliament and of the Council (OJ L 115, 6.5.2015, p. 1), which shall be transposed by Member States by 7 May 2017.

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5. **Groups of infringements against Directive 2014/45/EU of the European Parliament and of the Council** [1] **(Periodic roadworthiness tests) and Directive 2014/47/EU of the European Parliament and of the Council** [2] **(Technical roadside inspection)**

No	LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
		Roadworthiness			
1.	Article 8 and 10 Directive 2014/45/EU and Article 7.1 of Directive 2014/47/EU	Driving without a valid proof of roadworthiness tests passed, as required by the EU law	X		
2.	Article 12.2 of Directive 2014/47/EU	Not keeping a vehicle in a safe and roadworthy condition resulting in a very serious deficiency of the braking system, the steering linkages, the wheels/tires, the suspension or chassis or other equipment that would create such an immediate risk to road safety that it leads to a decision to immobilise the vehicle	X		

Directive 2014/47/EU on technical roadside inspection of the roadworthiness of commercial vehicles contains in its Annex II a detailed classification of technical deficiencies divided, according to their level of severity, into minor, major and dangerous deficiencies. Article 12.2 of this Directive provides for the following definitions:

(a) **minor** deficiencies having no significant effect on the safety of the vehicle or impact on the environment, and other minor non-compliances;

(b) **major** deficiencies that may prejudice the safety of the vehicle or have an impact on the environment or put other road users at risk, or other more significant non-compliances;

(c) **dangerous** deficiencies constituting a direct and immediate risk to road safety or having an impact on the environment.

The level of infringements against the provisions of the roadworthiness directives shall reflect the classification of deficiencies contained in Annex II of Directive 2014/47/EU, namely: SI = major deficiencies; VSI = dangerous deficiencies; MSI = driving with deficiencies, which creates immediate risk to road safety. Minor deficiencies would be equal to the level of minor infringements.

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6. **Grúpaí sáruithe ar Threoir 92/6/CEE ón gComhairle** [3] **(Feistí teorannaithe luais)**

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
1.	Airteagail 2 agus 3	Níl an fheiste teorannaithe luais feistithe	X		
2.	Airteagal 5	Ní chomhlíonann an fheiste teorannaithe luais na ceanglais theicniúla is infheidhme		X	

(1) Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.4.2014, p. 51).

(2) Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (OJ L 127, 29.4.2014, p. 134).

(3) Treoir 92/6/CEE ón gComhairle an 10 Feabhra 1992 maidir le feistí teorannaithe luais le haghaidh catagóirí áirithe mótarfheithiclí sa Chomhphobal a shuiteáil agus a úsáid (IO L 57, 2.3.1992, lch. 27)

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Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
3.	Airteagal 5	Níl an fheiste teorannaithe luais feistithe ag ceardlann cheadaithe			X
4.		Tá feiste chalaoiseach san fheithicil agus/nó baintear úsáid as feiste lena bhféadfar sonraí na feiste teorannaithe luais a fhalsú nó tá feiste teorannaithe luais chalaoiseach san fheithicil agus/nó baintear úsáid aisti	X		

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7. **Groups of infringements against Directive 2003/59/EC of the European Parliament and of the Council** [1] **(Initial qualification and periodic training of drivers)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
		Training and licence			
1.	Article 3	Carrying goods or passengers without a compulsory initial qualification and/or compulsory periodic training		X	
2.	Article 10 and Annex II	Driver unable to present the valid qualification card or the driving licence with the marking, as required by the national law (*e.g.: lost, forgotten, damaged, unreadable*)			X

8. **Groups of infringements against Directive 2006/126/EC of the European Parliament and of the Council** [2] **(Driving licences requirements)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Articles 1 and 4 of Directive 2006/126/EC	Carrying passengers or goods without holding a valid driving licence	X		
2.	Article 1 Annex I	Using a driving licence which is damaged or unreadable or not in line with common model			X

9. **Groups of infringements against Directive 2008/68/EC of the European Parliament and of the Council** [3] **(Transport of dangerous goods by road)**

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[1] Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p. 4).

[2] Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ L 403, 30.12.2006, p. 18).

[3] Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

▼B

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Annex I, Section I.1 to Directive 2008/68/EC	Transporting dangerous goods that are prohibited for transport	X		
2.		Transporting dangerous goods in a prohibited or non-approved means of containment, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle	X		
3.		Transporting dangerous goods without identifying them on the vehicle as dangerous goods, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle	X		
4.		Leakage of dangerous substances		X	
5.		Carriage in bulk in a container which is not structurally serviceable		X	
6.		Carriage in a vehicle without an appropriate certificate of approval		X	
7.		Vehicle no longer complies with the approval standards and presents an immediate danger		X	
8.		The rules governing the securing and stowage of the load have not been complied with		X	
9.		The rules governing mixed loading of packages have not been complied with		X	
10.		The provisions limiting the quantities carried in one transport unit have not been complied with, including permissible degrees of filling tanks or packages;		X	
11.		Information relevant to the substance being carried enabling determination of level of seriousness of offence is missing (*e.g. UN number, proper shipping name, packing group*)		X	
12.		Driver does not hold a valid vocational training certificate		X	
13.		Fire or an unprotected light is being used		X	
14.		The ban on smoking is not being observed.		X	
15.		The vehicle is not properly supervised or parked			X
16.		The transport unit comprises more than one trailer/semi-trailer			X
17.		Vehicle no longer complies with the approval standards but does not present an immediate danger			X
18.		The vehicle is not carrying operational fire extinguishers as required			X
19.		The vehicle does not carry the equipment required in the ADR or in the instructions in writing			X
20.		Packages with damaged packaging, IBCs or large packaging or damaged uncleaned empty packaging are being carried			X
21.		Carriage of packaged goods in a container which is not structurally serviceable			X

▼B

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
22.		Tanks/tank containers (including ones that are empty and uncleaned) have not been closed properly			X
23.		Incorrect labelling, marking or placarding on the vehicle and/or containment			X
24.		There are no instructions in writing conforming to the ADR, or the instructions in writing are not relevant to the goods carried			X

Commission Directive 2004/112/EC ([1]), adapting Council Directive 95/50/EC ([2]) on uniform procedures for checks on the transport of dangerous goods by road, contains in its Annex II a detailed classification of infringements against the relevant provisions, divided, according to their level of severity, into three risk categories: risk category I, risk category II, risk category III.

The level of infringements against the provisions shall reflect the risk categories provided in Annex II to Directive 2004/112/EC, in such a way that **risk category I = VSI** (except those infringements which are already defined as MSI in Annex IV to Regulation (EC) No 1071/2009); **risk category II = SI**. Risk category III is equal to the level of minor infringement.

This table covers only those infringements for which a carrier shall be held fully or partially liable. The level of liability of a carrier for the infringement shall be assessed in accordance with the Member State's national enforcement procedure.

▼M1

10. **Grúpaí sáruithe ar Rialachán (CE) Uimh. 1072/2009 ó Pharlaimint na hEorpa agus ón gComhairle ([3]) (Rochtain ar an margadh idirnáisiúnta tarlaithe de bhóthar)**

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
		An ceadúnas Comhphobail			
1.	Airteagail 3 agus 8(1)	Táthar ag iompar earraí gan ceadúnas bailí Comhphobail (i.e.: mura bhfuil ceadúnas ann, ceadúnas atá falsaithe, tarraingthe siar, imithe in éag, etc.)	X		

([1]) Commission Directive 2004/112/EC of 13 December 2004 adapting to technical progress Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road (OJ L 367, 14.12.2004, p. 23).

([2]) Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (OJ L 249, 17.10.1995, p.35).

([3]) Rialachán (CE) Uimh. 1072/2009 ó Pharlaimint na hEorpa agus ón gComhairle an 21 Deireadh Fómhair 2009 maidir le rialacha comhchoiteanna le haghaidh rochtana ar an margadh idirnáisiúnta tarlaithe de bhóthar (IO L 300, 14.11.2009, lch. 72).

▼M1

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROM-CHÚISE		
			MSI	VSI	SI
2.	Airteagal 4	Ní féidir leis an ngnóthas tarlaithe ná leis an tiománaí ceadúnas bailí Comhphobail nó fíorchóip dheimhnithe bhailí den cheadúnas Comhphobail a thíolacadh don oifigeach cigireachta (i.e.: ceadúnas Comhphobail nó fíorchóip dheimhnithe den cheadúnas Comhphobail atá caillte, dearmadta, damáistithe, etc.)		X	
	Fianú an tiománaí				
3.	Airteagail 3 agus 8(1)	Táthar ag iompar earraí gan fianú bailí tiománaí (i.e. ní ann d'fhianú an tiománaí, fianú an tiománaí atá falsaithe; tarraingthe siar, imithe in éag, etc.)		X	
4.	Airteagal 5	Ní féidir leis an tiománaí ná leis an ngnóthas tarlaithe fianú tiománaí bailí nó fíorchóip dheimhnithe bhailí d'fhianú an tiománaí a thíolacadh don oifigeach cigireachta (i.e. fianú tiománaí nó fíorchóip dheimhnithe d'fhianú an tiománaí, atá caillte, dearmadta, damáistithe etc.)			X
	Cabatáiste				
5.	Airteagal 8(2)	Déantar oibríocht chabatáiste nach gcomhlíonann na dlíthe, na rialacháin agus na forálacha riaracháin atá i bhfeidhm sa Bhallstát óstach		X	
6.	Airteagal 8(2a)	Déantar oibríochtaí cabatáiste sa Bhallstát céanna laistigh de 4 lá tar éis deireadh a chur leis an oibríocht chabatáiste dhlisteanach deiridh sa Bhallstát sin		X	
7.	Airteagal 8(3) agus (4)	Toisc nach bhfuil an tarlóir in ann fianaise shoiléir a thabhairt faoin iompar idirnáisiúnta a bhí ann roimhe sin agus/nó faoi gach oibríocht chabatáiste a rinneadh as a chéile, agus/nó faoi gach oibríocht a rinneadh i gcásanna ina bhfuil an fheithicil i láthair sa Bhallstát óstach laistigh de thréimhse 4 lá roimh an iompar idirnáisiúnta, agus an fhianaise go léir faoi na cásanna sin a chur i láthair laistigh d'fhad na seiceála cois bóthair.		X	

11. **Grúpaí sáruithe ar Rialachán (CE) Uimh. 1073/2009 ó Pharlaimint na hEorpa agus ón gComhairle** [1] **(Rochtain ar an margadh do sheirbhísí cóiste agus bus)**

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROM-CHÚISE		
			MSI	VSI	SI
	An ceadúnas Comhphobail				
1.	Airteagal 4	Táthar ag iompar paisinéirí gan ceadúnas bailí Comhphobail a bheith ag an tiománaí (i.e.: mura bhfuil ceadúnas ann, ceadúnas atá falsaithe, tarraingthe siar, imithe in éag, etc.)	X		

[1] Rialachán (CE) Uimh. 1073/2009 ó Pharlaimint na hEorpa agus ón gComhairle an 21 Deireadh Fómhair 2009 maidir le rialacha comhchoiteanna le haghaidh rochtana ar an margadh idirnáisiúnta do sheirbhísí cóiste agus bus agus lena leasaítear Rialachán (CE) Uimh. 561/2006 (IO L 300, 14.11.2009, lch. 88).

▼M1

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROM-CHÚISE		
			MSI	VSI	SI
2.	Airteagal 4(3)	Ní féidir leis an iompróir ná an tiománaí ceadúnas bailí Comhphobail ná fíorchóip dheimhnithe bhailí den cheadúnas Comhphobail a thíolacadh don oifigeach cigireachta (i.e. ceadúnas nó fíorchóip dheimhnithe, atá caillte, dearmadta, damáistithe etc.)		X	
Údarú le haghaidh seirbhísí rialta					
3.	Airteagail 5 agus 6	Seirbhísí rialta gan údarú bailí (i.e.: mura bhfuil údarás ann, údarás atá falsaithe, tarraingthe siar, imithe in éag, a bhfuil mí-úsáid bainte as, etc.)		X	
4.	Airteagal 19	Ní féidir leis an tiománaí an t-údarú a thíolacadh don oifigeach cigireachta (i.e. údarú atá caillte, dearmadta, damáistithe, etc.)			X
5.	Airteagail 5 agus 6	Níl stadanna sna seirbhísí sceidealta i mBallstát ag comhfhreagairt don údarú eisithe			X
Foirm thurais le haghaidh seirbhísí ócáideacha agus seirbhísí eile atá díolmhaithe ó údarú					
6.	Airteagal 12	Táthar ag tiomáint gan foirm thurais riachtanach (i.e. níl an fhoirm thurais ann, foirm atá falsaithe, nach bhfuil an fhaisnéis riachtanach inti, etc.)			X
Rialacha is infheidhme maidir le hoibríochtaí cabatáiste					
7.	Airteagal 16	Déantar oibríocht chabatáiste nach gcomhlíonann na dlíthe, na rialacháin agus na forálacha riaracháin atá i bhfeidhm sa Bhallstát óstach		X	
8.	Airteagal 17	Níl na doiciméid rialaithe le haghaidh oibríochtaí cabatáiste ar bord na feithicle ná níltear in ann na doiciméid rialaithe le haghaidh oibríochtaí cabatáiste a thíolacadh arna n-iarraidh sin d'aon oifigeach cigireachta údaraithe (foirm thurais le haghaidh seirbhísí ócáideacha, ná an conradh a rinneadh idir an t-iompróir agus an t-eagraí iompair nó fíorchóip dheimhnithe díobh i gcás seirbhísí rialta speisialta)		X	

▼B

12. **Groups of infringements against Council Regulation (EC) No 1/2005** [1] **(Animal transport)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Annex I, Chapter II,	Partitions are not strong enough to withstand the weight of animals		X	
2.	Annex I, Chapter III	Using loading or unloading ramps that has slippery surfaces, that lack lateral protections or that are too steep			X
3.		Using lifting platforms or upper floors that do not have safety barriers preventing animals from falling or escaping during loading and unloading operations			X

[1] Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).

▼B

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
4.	Article 7	Means of transport not approved for long journeys, or not approved for the type of animals being transported.			X
5.	Article 4, 5 and 6	Transporting without valid required documentation, journey log or transporter authorisation or certificate of competence			X

▼M1

13. **Sárú ar Rialachán (CE) Uimh. 593/2008 ó Pharlaimint na hEorpa agus ón gComhairle** [1] **(An Róimh I) (an dlí is infheidhme maidir le hoibleagáidí conarthacha)**

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
1.	An Róimh I	Sárú an dlí is infheidhme ar oibleagáidí conarthacha		X	

14. **Grúpaí sáruithe ar Threoir (AE) 2020/1057 ó Pharlaimint na hEorpa agus ón gComhairle** [2] **(postú oibrithe in iompar de bhóthar)**

Uimh.	BUNÚS DLÍ	AN CINEÁL SÁRAITHE:	LEIBHÉAL TROMCHÚISE		
			MSI	VSI	SI
1.	Airteagal 1(11), pointe (a)	Faisnéis neamhiomlán faoin dearbhú postúcháin			X
2.	Airteagal 1(11), pointe (a)	Mainnítear dearbhú postúcháin a chur isteach chuig an mBallstát a ndéantar an tiománaí a phostú chuige tráth nach déanaí ná tús an phostúcháin		X	
3.	Airteagal 1(11), pointe (b)	Dearbhú postúcháin falsaithe le haghaidh tiománaithe		X	
4.	Airteagal 1(11), pointe (b)	Tá sé dodhéanta ag an tiománaí dearbhú postúcháin bailí a thíolacadh		X	
5.	Airteagal 1(11), pointe (b)	Mainnítear dearbhú postúcháin bailí a chur ar fáil don tiománaí		X	
6.	Airteagal 1(11), pointe (c)	Mainnítear na doiciméid a iarradh a chur faoi bhráid an Bhallstáit óstaigh laistigh d'ocht seachtaine ó dháta na hiarrata		X	
7.	Airteagal 1(12)	Mainníonn an t-oibreoir na dearbhuithe postúcháin a choinneáil cothrom le dáta sa chomhéadan poiblí atá nasctha le IMI			X

[1] Rialachán (CE) Uimh. 593/2008 ó Pharlaimint na hEorpa agus ón gComhairle an 17 Meitheamh 2008 maidir leis an dlí is infheidhme ar oibleagáidí conarthacha (IO L 177, 4.7.2008, lch. 6).

[2] Treoir (AE) 2020/1057 ó Pharlaimint na hEorpa agus ón gComhairle an 15 Iúil 2020 lena leagtar síos rialacha sonracha i dtaca le Treoir 96/71/CE agus Treoir 2014/67/AE maidir le tiománaithe a phostú in earnáil an iompair de bhóthar agus lena leasaítear Treoir 2006/22/CE a mhéid a bhaineann le ceanglais forfheidhmithe agus Rialachán (AE) Uimh. 1024/2012 (IO L 249, 31.7.2020, lch. 49)

▼**M1**

IARSCRÍBHINN II

A mhinice a tharlaíonn sáruithe tromchúiseacha

1. Maidir leis na sáruithe tromchúiseacha (SI) agus an-tromchúiseach (VSI) a liostaítear in Iarscríbhinn I, nuair a dhéantar iad arís agus arís eile, measfaidh údarás inniúil Ballstáit bunaíochta iad a bheith níos tromchúisí. Agus minicíocht sáruithe a dhéantar arís agus arís eile á ríomh, cuirfidh na Ballstáit na fachtóirí seo a leanas san áireamh:

   (a) tromchúis an tsáraithe (SI nó VSI);

   (b) an t-am (atráth bliana amháin ar a laghad ó dháta rialaithe);

   (c) an líon feithiclí arna n-úsáid le haghaidh na ngníomhaíochtaí iompair arna mbainistiú ag an mbainisteoir iompair (meán in aghaidh na bliana)

2. Agus á chur san áireamh go bhféadfaí riosca a bheith leis an tsábháilteacht ar bhóithre, déanfar minicíocht uasta na sáruithe tromchúiseacha, ar dá réir ba cheart iad a mheas ina sáruithe níos tromchúisí, a shuí mar seo a leanas:

   3 SI/in aghaidh na feithicle/in aghaidh na bliana = 1 VSI

   3 VSI/in aghaidh na feithicle/in aghaidh na bliana = nós imeachta náisiúnta maidir le dea-cháil a sheoladh

3. Is é atá sa líon sáruithe in aghaidh na feithicle gach bliain meánfhigiúr arna ríomh trí líon iomlán na sáruithe go léir ar an leibhéal céanna tromchúise (SI nó VSI) a roinnt ar mheánlíon na bhfeithiclí a úsáideadh le linn na bliana. Leagtar amach leis an bhfoirmle mhinicíochta tairseach uasta le haghaidh sáruithe tromchúiseacha a bheith á ndéanamh ar dá réir ba cheart iad a mheas ina sáruithe níos tromchúisí. Is féidir leis na Ballstáit tairseacha níos déine a leagan amach ina nósanna imeachta riaracháin féin chun an dea-cháil a mheasúnú.

▼B

ANNEX III

Annex III to Directive 2006/22/EC is replaced by the following:

'ANNEX III

1. **Groups of infringements against Regulation (EC) no 561/2006**

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS (1)			
				MSI	VSI	SI	MI
A	**Crew**						
A1	Art 5.1	Not respecting minimum ages for conductors				X	
B	**Driving periods**						
B1	Article 6.1	Exceed daily driving time of 9h if possibilities to extend to 10h not allowed	9h < … < 10h				X
B2			10h ≤ … < 11h			X	
B3			11h ≤ …		X		
B4		Exceed daily driving time of 9h by 50 % or more without taking a break or without any rest of at least 4,5 hours	13h30 ≤ … and no break/rest	X			
B5		Exceed extended daily driving time of 10h if extension allowed	10h < … < 11h				X
B6			11h ≤ … < 12h			X	
B7			12h ≤ …		X		
B8		Exceed daily driving time of 10h by 50 % or more without taking a break of or without any rest of at least 4,5 hours	15h ≤ … and no break/rest	X			
B9	Article 6.2	Exceed weekly driving time	56h < … < 60h				X
B10			60h ≤ … < 65h			X	
B11			65h ≤ … < 70h		X		
B12		Exceed weekly driving time by 25 % or more	70h ≤ …	X			
B13	Art 6.3	Exceed maximum total driving time during 2 consecutive weeks	90h < … < 100h				X
B14			100h ≤ … < 105h			X	
B15			105h ≤ … < 112h30		X		
B16		Exceed maximum total driving time during 2 consecutive weeks by 25 % or more	112h30 ≤ …	X			
C	**Breaks**						
C1	Article 7	Exceed uninterrupted driving time of 4,5 hours before taking the break	4h30 < … < 5h				X
C2			5h ≤ … < 6h			X	
C3			6h ≤ …		X		

▼B

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS (1)			
				MSI	VSI	SI	MI
D	**Rest Periods**						
D1	Article 8.2	Insufficient daily rest period of less than 11h if reduced daily rest period not allowed	10h ≤ … < 11h				X
D2			8h30 ≤ … < 10h			X	
D3			… < 8h30		X		
D4		Insufficient reduced daily rest period of less than 9h if reduce allowed	8h ≤ … < 9h				X
D5			7h ≤ … < 8h			X	
D6			… < 7h		X		
D7		Insufficient split daily rest period of less than 3h + 9h	3h + [8h ≤ … < 9h]				X
D8			3h + [7h ≤ … < 8h]			X	
D9			3h + [… < 7h]		X		
D10	Article 8.5	Insufficient daily rest period of less than 9h for multi-manning	8h ≤ … < 9h				X
D11			7h ≤ … < 8h			X	
D12			… < 7h		X		
D13	Article 8.6	Insufficient reduced weekly resting period of less than 24 h	22h ≤ … < 24h				X
D14			20h ≤ … < 22h			X	
D15			… < 20h		X		
D16		Insufficient weekly resting period of less than 45 h if reduced weekly resting period not allowed	42h ≤ … < 45h				X
D17			36h ≤ … < 42h			X	
D18			… < 36h		X		
D19	Article 8.6	Exceeding 6 consecutive 24-hour periods following the previous weekly rest period	… < 3h				X
D20			3h ≤ … < 12h			X	
D21			12h ≤ …		X		
E	**12-day rule derogation**						
E1	Article 8.6a.	Exceeding 12 consecutive 24-hour periods following a previous regular weekly rest	… < 3h				X
E2			3h ≤ … < 12h			X	
E3			12h ≤ …		X		
E4	Article 8.6a. (b)(ii)	Weekly rest period taken following 12 consecutive 24-hour periods	65h < … ≤ 67h			X	
E5			… ≤ 65h		X		
E6	Article 8.6a. (d)	Driving period, between 22.00 and 6.00, of more than 3 hours before the break, if the vehicle is not multi-manned	3h < … < 4,5 h			X	
E7			4,5 h ≤ …		X		

▼B

No	LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS (1)			
			MSI	VSI	SI	MI
F	**Work organisation**					
F1	Article 10.1	Link between wage and distance travelled or amount of goods carried		X		
F2	Article 10.2	No or improper organisation of driver's work, no or improper instructions given to driver enabling him to comply with the law		X		

(1) MSI = most serious infringements/VSI = very serious infringement/SI = serious infringement/MI = minor infringement.

2. **Groups of infringements against Regulation (EU) no 165/2014 of the European Parliament and of the Council** (1) **(Tachograph)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS			
			MSI	VSI	SI	MI
G	**Installation of tachograph**					
G1	Article 3.1 and Article 22.2	Not having type-approved tachograph installed and used *(e.g.: not having a tachograph installed by fitters, workshops or vehicle manufacturers approved by the competent authorities of the Member States, using a tachograph without the necessary seals placed or replaced by an approved fitter, workshop or vehicle manufacturer or using a tachograph without the installation plaque)*	X			
H	**Use of tachograph, driver card or record sheet**					
H1	Article 23.1	Using a tachograph not inspected by an approved workshop		X		
H2	Article 27	Driver holding and/or using more than one own driver card		X		
H3		Driving with a driver card that has been falsified (*considered as driving without driver card*)	X			
H4		Driving with a driver card of which the driver is not the holder (*considered as driving without driver card*)	X			
H5		Driving with a driver card which has been obtained on the basis of false declarations and/or forged documents (*considered as driving without driver card*)	X			
H6	Article 32.1	Tachograph not correctly functioning *(e.g.: tachograph not properly inspected, calibrated and sealed)*		X		
H7	Article 32.1 and Article 33.1	Tachograph improperly used *(e.g.: deliberate, voluntary or imposed misuse, lack of instructions on correct use, etc.)*		X		
H8	Article 32.3	Using a fraudulent device able to modify the records of the tachograph	X			
H9		Falsifying, concealing, supressing or destroying data recorded on the record sheets or stored and downloaded from the tachograph and/or the driver card	X			

(1) Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 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 (OJ L 60, 28.2.2014, p. 1).

▼B

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS			
			MSI	VSI	SI	MI
H10	Article 33.2	Undertaking not keeping record sheets, printouts and down-loaded data		X		
H11		Recorded and stored data not available for at least a year		X		
H12	Art 34.1	Incorrect use of record sheets/driver card		X		
H13		Unauthorised withdrawal of record sheets or driver card which has an impact on the record of relevant data		X		
H14		Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X		
H15	Article 34.2	Use dirty or damaged record sheets or drivers card and data not legible		X		
H16	Article 34.3	Not using manual input when required to do so		X		
H17	Article 34.4	Not using correct record sheet or driver card not in the correct slot (multi-manning)			X	
H18	Article 34.5	Incorrect use of switch mechanism		X		
I	**Producing information**					
I1	Article 36	Refusing to be checked		X		
I2	Article 36	Unable to produce records of current day and the previous 28 days		X		
I3		Unable to produce records of the driver card if the driver holds one		X		
I4	Article 36	Unable to produce manual records and printouts made during the current day and the previous 28 days		X		
I5	Article 36	Unable to produce a driver card, if the driver holds one		X		
J	**Malfunctioning**					
J1	Article 37.1 and Article 22.1	Tachograph not repaired by an approved fitter or workshop		X		
J2	Article 37.2	Driver not marking all required information for the periods of time, which are no longer recorded while tachograph is unserviceable or malfunctioning		X’		