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## **COMMISSION STAFF WORKING DOCUMENT**

### **Social rules in road transport**

#### *Accompanying the document*

### **REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL**

**on the implementation in 2019-2020 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 (31st report from the Commission on the implementation of the social legislation relating to road transport), and on controls performed under Council Directive 96/53/EC laying down for heavy-duty vehicles the maximum authorized dimensions and the maximum authorized weights**

{COM(2023) 183 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, Directive 2002/15/EC, which sets out complementary provisions on the organisation of the working time of persons performing mobile road transport activities, Regulation (EU) No 165/2014 on recording equipment in road transport, and Directive 2006/22/EC, which determines minimum requirements for enforcement of these rules.

Regulation (EC) No 561/2006, also known as the Driving Time Regulation, 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<sup>1</sup> 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 after 4.5 hours of driving. The daily rest period is determined at the level of minimum 11 hours, which can be reduced three times a week to 9 hours.

Directive 2002/15/EC, also 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 mobile workers in the road transport sector as well as adequate breaks and night work provisions.

Directive 2002/15/EC defines working time 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.

Regulation (EU) No 165/2014 on tachographs in road transport 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 and Directive 2002/15/EC<sup>2</sup>. It also aims at reducing the

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<sup>1</sup> As provided by Article 2 of Regulation (CE) No 561/2006, amended by Regulation (EU) 2020/1054, the rules set out in Regulation (EC) 561/2006 will be extended as of 1 July 2026 to drivers of vehicles which exceed 2,5 tonnes in international transport operations of goods.

<sup>2</sup> Pursuant to Article 1(1) of Regulation (EU) No 165/2014, as amended by Regulation (EU) 2020/1054, from 20 August 2020, tachographs may also be used to verify compliance with other Union legislation, for example with Regulations (EC) No 1071/2009, (EC) No 1072/2009 and (EC) No 1073/2009.

administrative burden and making fraud to the tachograph more difficult. A smart tachograph has to be fitted in vehicles registered for the first time as of 15 June 2019<sup>3</sup>. A second version of the smart tachograph, which is currently in development, will have advanced communication features including with control devices of roadside enforcers, as well as other features including the automatic recording of border crossings and the recording of the position of the vehicle during loading and/or unloading operations. These capabilities 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 2006/22/EC, also called the "Enforcement Directive", lays down rules to verify compliance and ensure application of rules for driving time and rest periods established by Regulation (EC) No 561/2006 and Regulation (EU) No 165/2014<sup>4</sup>. 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 checked should be carried out in a proportional manner for checks at the roadside and at the premises of transport undertakings – at least 30 % and 50 % respectively. An obligation of minimum six concerted roadside checks per year undertaken by two or more enforcement authorities was introduced in order to encourage cooperation between Member States.

At the time of writing this report, Regulation (EC) No 561/2006, Regulation (EU) 165/2014 and Directive 2006/22/EC were amended by Mobility Package I<sup>5</sup>, which also introduced specific rules on posting of drivers in the road transport sector<sup>6</sup>. New working times and rest periods rules started applying from 20 August 2020. Taking into account the date of application of the new provisions, the information on their implementation is only partly provided in the current report.

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**

In 2020, the whole Europe was affected by Covid-19 crisis. As a result, no inspections of road transport were carried out in the majority of the EU Member States for a period of 4

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<sup>3</sup> This applies to the first version of smart tachographs, while the second version of smart tachographs will have to be fitted in all newly registered vehicles as of 21 August 2023.

<sup>4</sup> Pursuant to Article 6 of Directive 2006/22/EC, as amended by Directive (EU) 2020/1057, from 2 February 2022, the scope of the Enforcement Directive also covers checking compliance with some provisions of Directive 2002/15/EC.

<sup>5</sup> Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs (OJ L 249, 31.7.2020, p. 1–16) and Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49–65).

<sup>6</sup> Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49–65).

months from March 2020. Following that period, inspections slowly restarted, but with the necessary restrictions and precautions, which resulted in fewer inspections carried out than foreseen.

The total number of working days checked in the EU decreased by 8% in 2019-2020 compared to the period of 2017-2018. This is a continuous decreasing trend since 2011-2012, however the reductions in previous years were not so significant that in 2019-2020 (e.g. -5% in the previous reporting period). Despite this decrease, overall, the majority of Member States performed significantly more working days checks than required. Seven Member States performed significantly more checks than the 3% threshold: Romania (15,9%), Latvia (9.0%), Austria (8%), France (7.1%), Germany (6,9%) Portugal (6.3%) and Bulgaria (6.2%). These are the same Member States as in the last reporting period. Among these seven Member States only Romania increased the number of working days checked from 9.3% to 15,9%, while other countries experienced decrease of this number.

Six Member States did not meet the minimum threshold of 3%, namely Greece (2.4%), Hungary (2.3%), Ireland (0.5%), Luxembourg (2.9%), the Netherlands (1.5%) and Malta (0.2%). This is the same number of countries as in the previous reporting period. Great decreases in the number of working days checked were observed in Malta (-901%, i.e. from 6,8% to 0.2%) and Bulgaria (-59%, i.e. from 9.6% to 6.2%). A great increase in the number of working days checked observed in Finland (from 1.4% to 4.7%) may be explained by the fact that Finland reported for the current reporting period data from all sources, including data from the national police, customs and occupational health & safety authorities, which was not the case in the previous report.

Hungary reported a significant increase in the number of vehicles subject to Regulation (EC) No 561/2006 with more than two times as many vehicles compared to the last reporting period (from 107.707 to 223.474).

As in the previous reporting period, the Netherlands applied "monitoring based on trust", where a number of road transport undertakings have concluded an enforcement agreement with the Environment & Transport Inspectorate. The agreement covered over 1.4 million days worked by drivers during 2019-2020 in addition to the 885,196 working days checked by the Netherlands. By adding these figures together, the Netherlands meet the minimum threshold. The continuous development and expansion of the risk analysis enabled the Dutch inspectorates to focus its efforts on those road transport undertakings whose level of compliance was poor. This current monitoring system ends in 2022. As of that date the right technology will enable to monitor and investigate more drivers digitally.

Directive 2006/22/EC 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% at the roadside. However, looking at the number of Member States, which have met the threshold, only the following six Member States have the required balanced share between working days checked at the premises and at the roadside: Bulgaria (53% of working days checked at the premises), Cyprus (67%), Estonia (63%), Latvia (59%), Lithuania (63%), and Slovakia (63%). Bulgaria, Cyprus, Estonia, Latvia and Slovakia also met the ratio in the last

reporting period<sup>7</sup>. Yet, this is a decrease of two Member States compared to the last reporting period.

The ratio of working days checked at the premises with the EU-average raised to 40% in 2019-2020, which is the increasing trend compared to 27% in 2017-2018, 26% in 2015-2016, 23% in 2013-2014 and 18% in 2009-2010. The most significant improvements were reported by Cyprus (from 59% to 67%) and Slovakia (from 57% to 63%). Romania also increased significantly the ratio of working days checked at the premises from 17% in 2017-2018 to 49% in the current reporting period, even though it still does not meet the minimum control targets at the roadside and at the premises.

Greece and Ireland are the only Member States, which have not met the threshold for roadside checks. In Ireland, the reason seems to be that only few non-Irish, except British registered vehicles, are circulating on the Irish roads.

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

Based on the number of enforcement officers reported by Member States, the number of control officers involved in checks has decreased from 61,558 officers in 2017-2018 to 54,679<sup>8</sup> in 2019-2020. The total number of enforcement officers trained to analyse the digital tachograph has continued to slightly decrease from 21,786 officers in 2017-2018 to 20,058 in 2019-2020. However, the units of equipment provided to control officers to analyse the tachograph increased from 9,677 in 2017-2018 to 13,067 in 2019-2020.

**Table 1: Overview of national enforcement capacity in 2019-2020 per Member State**

MS	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	1100	1100	275
BE	3833	3662	3518
BG	273	273	380
HR	244	36	36
CY	134	8	12
CZ	1577	785	410
DK	8	8	8
EE	33	35	19
FI	426	360	80
FR	5500	5500	3500
DE	15646	2822	2348
EL	3069	428	130
HU	450	400	300
IE <sup>9</sup>	18	18	18
IT <sup>10</sup>	-	-	-

<sup>7</sup> Bulgaria, Cyprus, Denmark, Estonia, Latvia, Luxembourg, Malta, and Slovakia met the ratio in 2017-2018.

<sup>8</sup> This does not include data from Italy, who did not report on this subject.

<sup>9</sup> Ireland explained that these figures do not include members of the police force and solely refers to staff from the Road Safety Authority.

<sup>10</sup> Italy did not provide data.

<b>LV</b>	28	28	28
<b>LT</b>	200	300	65
<b>LU</b>	22	22	10
<b>MT</b>	1	1	1
<b>NL</b>	200	300	65
<b>PL<sup>11</sup></b>	1164	1060	256
<b>PT</b>	19403	1685	427
<b>RO</b>	315	315	315
<b>SK</b>	31	32	32
<b>SI</b>	74	74	40
<b>ES</b>	498	386	445
<b>SE</b>	432	420	349
<b>TOTAL</b>	<b>54679</b>	<b>20058</b>	<b>13067</b>

#### 4. Roadside checks

The total number of working days checked at the roadside was 74,581,610, which is a decrease compared to 92,000,39<sup>12</sup> working days checked at the roadside in the previous reporting period. In general, 31% of vehicles checked at the roadside are from another EU country, which is a slight decrease since 2017-2018 (33%). However, in some Member States the percentage of vehicles from another EU country constitutes more than half: namely Austria (65%), Belgium (53%), France (60%), Luxembourg (69%), Malta (63%), and the Netherlands (57%). These are the same Member States as named in the 2017-2018 report except from Malta (increase from 45% to 63%) and Denmark (decrease from 51% to 36%). The geographic location and volume of transit operations may in certain Member States play a factor. Member States whose share of checking vehicles registered in a third country was the largest are Croatia (25%), Poland (22%), and Slovenia (26%)<sup>13</sup>. A complete overview per Member State can be found in Table 2 below. Austria explained that it is very much a transit country, therefore, the proportion of working days checked by non-nationals and third countries is also higher than the proportion of own nationals, roadside checks being carried out without discrimination.

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

<b>MS</b>	<b>Nationals</b>	<b>Non-nationals</b>	<b>3<sup>rd</sup> nationals</b>
<b>AT</b>	32%	65%	3%
<b>BE</b>	40%	53%	7%
<b>BG</b>	79%	7%	13%
<b>HR</b>	65%	10%	25%
<b>CY</b>	100%	-	-
<b>CZ</b>	53%	43%	4%
<b>DK</b>	63%	36%	1%
<b>EE</b>	82%	15%	3%
<b>FI</b>	81%	11%	8%

<sup>11</sup> Poland explained that these figures do not include police officers involved in roadside checks.

<sup>12</sup> This figure includes data from the UK, i.e. 5,142,962.

<sup>13</sup> Bulgaria (27%), Croatia (26%), Poland (25%) and Slovenia (22%) in the previous reporting period 2017-2018.

FR	38%	60%	2%
DE	48%	47%	5%
EL	81%	13%	6%
HU	42%	47%	11%
IE	85%	14%	0%
IT	83%	15%	2%
LV	46%	35%	19%
LT <sup>14</sup>	-	-	-
LU	29%	69%	2%
MT	38%	63%	-
NL	39%	57%	4%
PL	59%	19%	22%
PT	95%	5%	-
RO	83%	11%	6%
SK	45%	46%	9%
SI	47%	27%	26%
ES	91%	8%	1%
SE	54%	44%	2%
TOTAL	63%	31%	6%

## 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 71% to the level of 74%. There is therefore no base to raise the threshold of minimum checks to 4% for the time being. The highest share of digital tachograph (more than 80%) was found during roadside check in eleven Member States: Denmark (96%), Slovakia (95%), Austria (94%), Germany (94%), Sweden (94%), Luxembourg (91%), Slovenia (88%), Czech Republic (86%), Hungary (86%), Netherlands (86%), and Ireland (83%). The number of Member States meeting the share of 90% digital tachographs has increased from five to six since the last reporting period. In contrast, the lowest percentage of digital tachograph was reported in Cyprus (30%) and Romania (40%). Table 3 below provides a full overview.

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

MS	Analogue tachograph	% analogue	Digital tachograph	% digital	Smart tacho	% smart
AT	7228	4%	170863	94%	3135	2%
BE	4113	4%	88251	76%	23046	20%
BG	24279	24%	78561	76%	-	-
HR	8013	37%	13485	63%	11	-
CY	2663	70%	1135	30%	1	-
CZ	9331	13%	59521	86%	581	1%
DK	1350	4%	31130	96%	-	-

<sup>14</sup> Lithuania did not provide this data.

<b>EE</b>	2209	28%	5601	71%	70	1%
<b>FI</b>	5855	15%	28204	72%	5373	14%
<b>FR</b>	80562	15%	380542	71%	75978	14%
<b>DE</b>	46893	6%	761501	94%	1672	-
<b>EL</b>	49296	56%	38106	44%	-	-
<b>HU</b>	8882	14%	56775	86%	-	-
<b>IE</b>	716	17%	3619	83%	-	-
<b>IT</b>	145613	25%	446369	75%	176	-
<b>LV</b>	5726	23%	18704	77%	-	-
<b>LT<sup>15</sup></b>	-	-	-	-	-	-
<b>LU</b>	572	9%	6095	91%	-	-
<b>MT</b>	2	25%	6	75%	-	-
<b>NL</b>	2503,9755	10%	22391,8963	86%	1270,1282	5%
<b>PL</b>	63282	19%	227723	68%	1.727	1%
<b>-PT</b>	11950	30%	28242	70%	-	-
<b>RO</b>	307540	59%	209684	40%	2240	-
<b>SK</b>	576	5%	10193	95%	-	-
<b>SI</b>	1648	12%	12002	88%	5	-
<b>ES</b>	38584	9%	306760	71%	-	-
<b>SE</b>	2098	6%	34490	94%	-	-
<b>TOTAL</b>	<b>831,485</b>	<b>20%</b>	<b>3,039,954</b>	<b>74%</b>	<b>115,285</b>	<b>3%</b>

## 6. Checks at the premises

The total number of working days checked at premises was 34,297,945 which is an increase compared to 33,673,792 working days checked at premises in the previous reporting period. In total, Member States checked 499,943 drivers during 2019-2020 (against around 641,000 drivers during 2017-2018), which confirms a decreasing trend regarding the amount of drivers checked at the premises with a 22% decrease compared to the previous period. The number of drivers checked at the premises decreased in a majority of the Member States, especially in Malta (-100%<sup>16</sup>), Croatia (-49%), the Netherlands (-49%) and Romania (-49%). However, Greece covered significantly more drivers during their checks at the premises (+166%).

In this reporting period, 58,300 transport undertakings were checked (against 104,104<sup>17</sup> transport undertakings during 2017-2018), which is a 44% decrease compared to the previous period. Though the number of undertakings checked decreased in the majority of the Member States, some Member States covered more undertakings during their checks at the premises, namely Denmark (+109%), Belgium (+11%) and Ireland (+5%).

The share of drivers checked at the premises compared to all drivers controlled at premises and roadside, continued to increase throughout the years with a share of 12% (11% share in 2017-2018, 10% share in 2015-2016, 9% 2013-2014, 7% in 2011-2013 and 5% in 2009-2010). Figure 1 presents the share of working days checked at the premises from 2013.

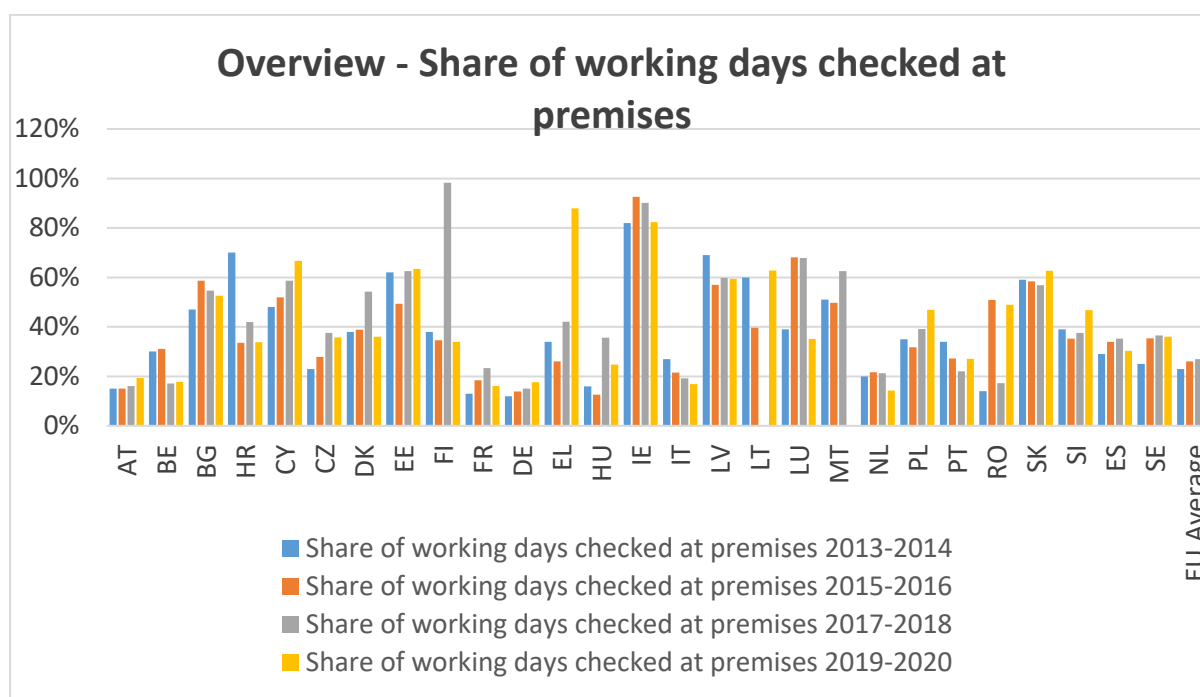
<sup>15</sup> Lithuania did not provided this data.

<sup>16</sup> No premises checks were done in Malta in 2019-2020.

<sup>17</sup> 86.643 undertakings were checked in 2017-2018 without the UK.



**Figure 1: Share of working days checked at the premises in 2013-2020 per Member State**



## 7. Offences – detection rate

The average offence rate, which is calculated based on 100 working days checked at premises and roadside checks, decreased from 2.7 in 2017-2018 to 2.1 in the current reporting period.

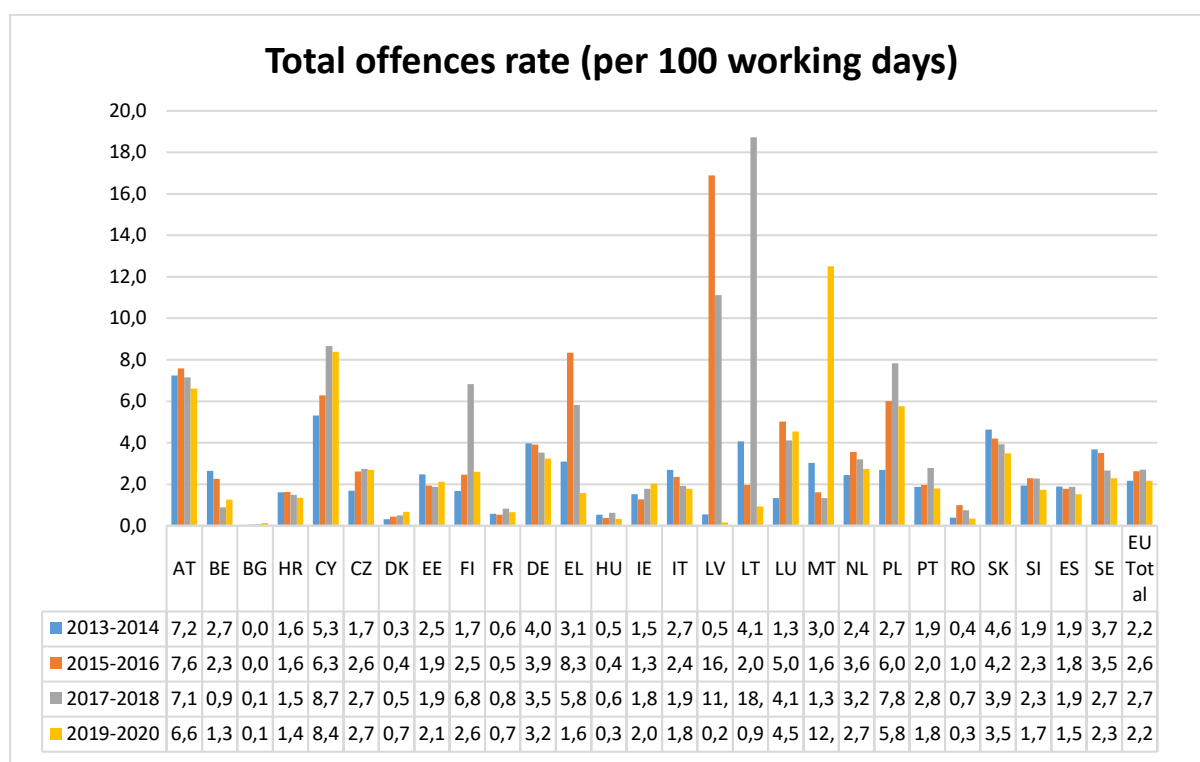
Significant disparities continue to exist between Member States. Seven Member States are marking the total lowest offence rate (per 100 working days) in the EU: 0.12 in Bulgaria, 0.15 in Latvia, 0.32 in Hungary, 0.34 in Romania, 0.66 both in Denmark and France, and 0.94 in Lithuania. At the same time, the following Member States have very high offence rates: 8.39 in Cyprus, 6.61 in Austria, 5.77 in Poland.

A significant increase in the offence rate can be observed in Malta (from 1,34 to 12,50<sup>18</sup>), Belgium (from 0.88 to 1.25), whereas a significant drop was reported by Greece (from 5.82 to 1.59), Latvia (from 11.12 to 0.15) and Lithuania (from 18.72 to 0.94) and Finland (from 6.83 to 2.65). The table in Figure 2 provides an overview of the development of the offence rate in EU Member States since 2013. Given these discrepancies, the enforcement practices across the EU should be aligned, leading to harmonised checks that have similar outcomes. The Commission services are currently establishing a common training curriculum for EU enforcers to ensure that the training of enforcers in the EU adhere to a minimum standard<sup>19</sup>, to ensure that enforcement practices are harmonised, and to integrate new elements from Mobility Package I. The European Labour Authority may also support Member States' information and capacity building efforts.

<sup>18</sup> Yet, Malta checked only 8 vehicles at the roadside in the period 2019-2020.

<sup>19</sup> In line with Article 39(3) of Regulation (EU) No 165/2014.

**Figure 2: Total offence rate at the roadside and premises checked between 2013-2020**



## 8. Offences detected at the roadside

On average, 60% of all detected offences were found during roadside controls in the EU, which is a slight increase compared to 57% in the last report. The offence rates found at the roadside across the EU were very diverse. Compared to the EU average of 1.82 offences per 100 working days checked, offence rates are particularly high in Greece<sup>20</sup> (12.77), Malta (12.50<sup>21</sup>) and Austria (8.04), while significantly more than the EU average in Ireland (4.21), Estonia (3.99), Czech Republic (3.26), (Luxembourg (2.88) and Poland (2.88). Very low offence rates at the roadside were reported in Finland (0.18), Bulgaria (0.21), Belgium (0.57), Croatia (0.61), Denmark (0.61), France (0.71), Hungary (0.15), Latvia (0.38), and Romania (0.63). A considerable increase in detection rate was observed in Malta (from 1.67 to 12.50), while a decrease was observed in Lithuania (from 10.23 to 0.65) and Luxembourg (from 3.51 to 2.88), i.e. countries which reported increase in detection rate in 2017-2018.

In some of the Member States, the numbers of detected offences related to non-national vehicles prevail, namely in France (91%), Sweden (86%), Luxembourg (74%), Austria (72%), Bulgaria (66%), Belgium (59%) and Denmark (52%). This may be partly explained by the fact that some of the Member States are transit countries.

## 9. Offences detected at the premises

On average, 40% of all detected offences were found during controls at the premises in the EU, which is a slight decrease compared to 43% in the last report. Offence rates at the

<sup>20</sup> Greece has not met the threshold of working days checked at the roadside.

<sup>21</sup> Yet, Malta checked only 8 vehicles at the roadside in the period 2019-2020.

premises of undertakings in the EU are also significantly diverging<sup>22</sup>. Several Member States were well above the EU average of 2.59 (4.35<sup>23</sup> in 2017-2018) with the highest detection rate in the Netherlands (12.55), Cyprus (12.02), Poland (9.04), Germany (7.25) and Italy (4.21). This stands in contrast to countries with a very low detection rate such as Austria (0.63), Bulgaria (0.04), Croatia (0.84), Denmark (0.75), France (0.39), Greece (0.04), Hungary (0.85), Portugal (0.04), Romania (0.03), Slovenia (0.66) and Spain (0.83).

Compared to 2017-2018, there is a significant rise in detection rates in the Netherlands (from 10.20 to 12.55) and Luxembourg (from 4.40 to 7.61), while rates significantly decreased in Poland (from 16.68 to 9.04), Germany (from 8.94 to 7.25), Cyprus (from 13.55 to 12.02).

## **10. Categories of infringements detected at roadside**

The main types of infringements detected at the roadside by Member States remained on average relatively similar to the last report in terms of share of the total offences detected at the roadside.

Offences on the recording equipment, which comprise offences on incorrect functioning and misuse or manipulation of the tachograph, remained stable in 2019-2020. Incorrect functioning of the tachograph constituted the majority of this category with 9% of the overall offences, while manipulation and misuse of the tachograph constituted only 4% of the overall offences (14% in 2017-2018) at the roadside. However, in Estonia (42%), the Netherlands (32%) and Romania (32%) manipulation and misuse even made up around a third of their offences found. In Denmark, this category of infringements constituted about 62% of the overall offences.

Looking at national figures for other types of infringements, the detected infringements on driving time were particularly high in Luxembourg (36%), Malta (36%) and France (34%), while offences on breaks were high in Cyprus (50%), Ireland (37%) and Slovakia (35%). Offences on rest periods were significant in France (46%), Belgium (45%), Spain (44%), and Hungary (40%). In the Czech Republic (53%), Latvia (53%) and Italy (44%), the share of infringements related to driving records is significant compared to the majority of Member States. The EU average for infringements of providing records for other work is very low in the majority of Member States (EU average being 11%), but constitutes a greater share in the Member States such as Bulgaria (19%), Poland (17%) and Germany (16%).

## **11. Categories of infringements detected at premises**

The main types of infringements detected at the premises<sup>24</sup> of undertakings remain stable compared to the last report.

The number of infringements detected regarding breaks increased from 19% to 24%, rest periods from 16% to 17%, while infringements related to driving time (9%) remained stable. The number of infringements detected for driving time records also remained stable (40%). This offence was significantly noticed at the premises of undertakings in Poland (78% of

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<sup>22</sup> Latvia is not included, as number and type of offences detected at premises were not reported. Malta did not carry out checks at the premises in 2019-2020.

<sup>23</sup> UK were included.

<sup>24</sup> Latvia did not provide data on offences at the premises and Malta reported that no checks were performed at the premises.

offences detected at premises), Italy (69%), and Hungary (62%). As explained previously by Italian authorities, 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.

A high number of driving time offences was detected in Greece (52%), Portugal (34%) and Lithuania (31%). Offences on breaks were frequently detected in Ireland (60%), Denmark (54%), Finland (49%), Cyprus (45%) and Germany (44%). Infringements on rest periods constituted a great share in Estonia (59%), Romania (57%), Croatia (48%), Luxembourg (45%), and Portugal (45%).

Offences on recording equipment constituted 3% and amounted to 26,926 in 2019-2020. Their national share was particularly high in France (20%). Infringements on the lack and availability of records of other work were in particular high in Sweden where they constituted 23% of the national offences detected at the premises (decreased from 33%). The Swedish authorities explained that the numbers reported were higher because infringements related to not using manual input when required to do so were included<sup>25</sup>.

**Table 4: Breakdown of offences found at the roadside and premises in 2019-2020**

Checks at	Breaks	Rest periods	Driving time	Driving time records	Recording equipment	Lack/availability of records for other work
<b>Roadside</b>	16%	26%	18%	18%	13%	9%
<b>Premises<sup>26</sup></b>	24%	17%	9%	40%	3%	6%
<b>Total</b>	20%	22%	14%	29%	8%	8%

## 12. Cooperation between Member States

According to Directive 2006/22/EC, Member States are obliged to undertake no less than six concerted roadside checks per year with at least one other Member State. Not all Member States provided required information on concerted checks and exchange of information and data. While it is understandable that the Covid-19 crisis prevented national authorities from organising concerted checks in 2020, thirteen Member States<sup>27</sup> did not provide information on the number of concerted checks or did not provide any information about concerted checks regarding the reporting period. Out of the 14 Member States that did provide information on checks, 12 Member States<sup>28</sup> met the required number of concerted checks in the reporting period, especially in 2019.

Most Member States participated in concerted checks through the European Traffic Police Network (ROADPOL)<sup>29</sup> and Euro Control Route (ECR) cooperation. The support of the

<sup>25</sup> Reference is made to H16 in the appendix III of Regulation (EU) No 2016/403.

<sup>26</sup> Latvia did not provide categorisation of offences at the premises.

<sup>27</sup> Belgium, Croatia, Cyprus, Czech Republic, Denmark, Finland, Greece, Malta, the Netherlands, Portugal and Slovenia. Hungary and Malta informed that no concerted checks were carried out.

<sup>28</sup> Austria, France, Germany, Ireland, Italy, Latvia, Lithuania, Luxembourg, Poland, Romania, Slovakia and Spain.

<sup>29</sup> The statutes of the new European Public Association called “ROADPOL European Roads Policing Network” were signed in Dublin on 26 September 2019 and will replace TISPOL from the year 2020, maintaining the same objectives.

CORTE Enforcement working group was also indicated. A number of Member States reported great satisfaction of participants in the concerted checks and other forms of cooperation. It was affirmed that joint road checks contribute to knowledge-sharing on carrying out checks, reviewing and harmonising positions on the understanding of particular provisions of European legislation and exchanging experiences on the use of assessment programmes.

Table 6 below presents the number of concerted checks and exchange of experience carried-out by Member States in 2019-2020. It also provides an overview of the focus of these concerted checks and exchanges of experience, as well as information on the Member States involved.

**Table 5: Overview of concerted checks per Member State**

<b>Austria</b>	<p><u>2019</u> <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 6 with ECR/Tispol Member States</li> </ul> <p><u>2020</u> <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 5 with ECR/Tispol Member States</li> </ul> <p><u>2019-2020</u> <u>Exchange of experience and information:</u> 3 bilateral (9 persons involved) and 2 multilateral (6 persons involved) with ECR/Tispol Member States. Subject of the exchange: Driving time checks, Manipulation of recording equipment, technical checks, Securing cargo.</p>
<b>Belgium</b>	<p><u>2019-2020</u> <u>Concerted checks:</u> No information provided</p> <p><u>Exchange of experience and information:</u> Exchange of information via online meetings on the crisis and about the temporary measures that were taken to help the sector.</p>
<b>Bulgaria</b>	<p><u>2019</u> <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 2 joint inspections with Romanian control bodies (ARR) in Romania and Bulgaria.</li> </ul> <p><u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• Exchange of information on established violations committed by Bulgarian drivers on the territory of Germany, Hungary, Austria, Spain, United Kingdom, Italy, Latvia, Romania, Slovenia.</li> </ul> <p><u>2020</u> <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 2 joint inspections with Romanian control bodies (ARR) in Romania and Bulgaria.</li> </ul>

	<p><u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• Exchange of information on established violations committed by Bulgarian drivers on the territory of Germany, Hungary, Austria, Spain, United Kingdom, Italy, Latvia, Romania, Slovenia.</li> </ul>
<b>Croatia</b>	No information provided
<b>Cyprus</b>	No information provided
<b>Czech Republic</b>	<p><u>2019</u></p> <p>No information provided</p> <p><u>2020</u></p> <p>No joint controls organised due to the Covid-19.</p>
<b>Denmark</b>	No information provided
<b>Estonia</b>	<p><u>2019</u></p> <p><u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 2 common roadside checks of the Estonian Police and Border Guard: one with the Latvian enforcement authorities and one with the Finnish Police.</li> </ul> <p><u>2020:</u></p> <ul style="list-style-type: none"> <li>• No common road side checks</li> </ul> <p><u>Exchange of experience and information:</u></p> <p>No information provided</p>
<b>Finland</b>	No information provided
<b>France</b>	<p><u>2019</u></p> <p><u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 6 weeks of coordinated checks within ECR were spread over the year with the following topics: <ul style="list-style-type: none"> <li>- enterprise fraud, tachograph fraud and anti-pollution devices</li> <li>- technical roadside inspection</li> <li>- transport of dangerous goods</li> <li>- transport of passengers</li> </ul> </li> </ul> <p>France participated in all weeks of planned inspections.</p> <p><u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• France organised a week-long exchange cooperation session in Bordeaux, which brought together some thirty inspectors from all the Member States affiliated to ECR. In this context, various working themes were discussed, such as the fight against new forms of tachograph fraud (software), technical roadside inspection, AdBlue fraud. Enforcement officers from different countries presented their enforcement methodologies and highlighted their strengths and limitations.</li> <li>• France and Germany organised a bilateral exchange session which brought together some fifteen German and French officials. These sessions are now organised one year in Germany and the following year in France. The health crisis prevented the 2020 session from being held in France.</li> <li>• Participation in : <ul style="list-style-type: none"> <li>- "training sessions on tachograph fraud organised by TISPOL and ECR</li> </ul> </li> </ul>

	<p>(two sessions are organised each year in Osnabruck, where two inspectors participated)</p> <ul style="list-style-type: none"> <li>- the "tachy work group" (TWG) and the "ADR" working group on the transport of dangerous goods, which bring together experts from all ECR Member States.</li> </ul> <p>These working groups also make it possible to update the control methods and to find out about the latest frauds encountered by the controllers of the various States and the means put in place to combat them.</p> <p><u>2020</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• one coordinated check in February on enterprise fraud, tachograph fraud and anti-pollution devices.</li> </ul> <p><u>Exchange of experience and information:</u>  In the second half of the year 2020, a TWG group was held remotely.</p>
<b>Germany</b>	<p><u>Concerted checks in 2019-2020:</u></p> <ul style="list-style-type: none"> <li>• Total of 39 joint checks.</li> </ul>
<b>Greece</b>	No information provided
<b>Hungary</b>	<p><u>2019-20</u>  <u>Concerted checks:</u> 0</p> <p><u>2019-20</u>  <u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• The cooperating countries were: Czech Republic, Slovakia, Austria, Poland. The most common data exchange was due to vehicles in poor technical condition.</li> </ul>
<b>Ireland</b>	<p><u>2019-2020</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 16 - tripartite - Ireland, UK &amp; Northern Ireland (UK - DVA, NI - DVSA &amp; IRL - RSA) 4 weeks per annum, 2 per week.</li> </ul> <p><u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• 4 - 5 ECR exchanges depending on COVID situation.</li> </ul>
<b>Italy</b>	<p><u>2019</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 12 joint operations at European level in which the Italian Traffic Police participated. As a part of the joint European 'Truck and Bus' campaign, four 'Truck and Bus' operations were carried out in Italy in February, May, July and October, during which 3717 infringements were detected in respect of driving time and rest periods and the smooth operation of the tachograph in general.</li> </ul> <p><u>2020</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 5 joint operations at European level in which the Italian Traffic Police participated. As a part of the joint European 'Truck and Bus' campaign, the following operations were carried out: <ul style="list-style-type: none"> <li>• 2 Truck &amp; Bus operations, to check professional drivers of vehicles used for the transport of persons and goods: 10-16 February and 12-</li> </ul> </li> </ul>

	<p>18 October 2020;</p> <ul style="list-style-type: none"> <li>• 1 operation Seatbelt, to check the correct use of restraint systems: 9-15 March 2020;</li> <li>• 1 operation Focus on the Road, for the correct use of mobile phones, smartphones: 14-20 September 2020;</li> <li>• 1 Alcohol &amp; Drugs operation, in order to verify the psychological and physical conditions relating to the possible consumption of alcoholic beverages and drugs by drivers of motor vehicles: 7-13 December 2020.</li> </ul>
<b>Latvia</b>	<p><u>2019</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 6 common roadside checks with Lithuania and Estonia</li> </ul> <p><u>2020</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 6 common roadside checks with Estonia and Lithuania.</li> </ul> <p><u>Exchange of experience and information:</u>  No data</p>
<b>Lithuania</b>	<p><u>2019-2020</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 21 joint vehicle controls with Polish and Latvian inspectorates</li> </ul> <p><u>Exchange of experience and information:</u>  No data</p>
<b>Luxembourg</b>	<p><u>2019</u>  <u>Concerted checks:</u>  <i>Administration des Douanes et Accises :</i></p> <ul style="list-style-type: none"> <li>• 14 joint controls with la Dreal (France)</li> <li>• 1 joint control 2/9/2019-5/9/2019 with Spain, Germany, Poland, Croatia, the Netherlands, Czech Republic and France.</li> </ul> <p><u>Exchange of experience and information:</u>  Officers participated in exchanges/training ECR</p> <p><u>2020</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 7 joint controls with la Dreal (France)</li> </ul> <p><i>Police grand-ducale:</i></p> <ul style="list-style-type: none"> <li>• Checks with Germany within "Freisener Gespräche"</li> </ul>
<b>Malta</b>	No concerted check carried out in the reporting period
<b>Netherlands</b>	<p><u>2019</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• ECR/TISPOL audits</li> </ul> <p><u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• Multilateral exchanges with France (2x)</li> <li>• Bilateral exchange with Germany (12x)</li> </ul>



	<ul style="list-style-type: none"> <li>• Masterclass 1 (1x) and Masterclass 2 (2x)</li> </ul> <p><u>2020</u> No Concerted checks No Exchange of experience</p>
<b>Poland</b>	<p><u>2019</u> <u>Concerted checks as part of ECR (Euro Contrôle Route)</u></p> <ul style="list-style-type: none"> <li>- Week 8, focus: Truck and Bus – DRT &amp; manipulation</li> <li>- Week 15, focus: Truck and Bus – Manipulation</li> <li>- Week 20, focus: Truck and Bus – DRT &amp; manipulation</li> <li>- Week 30, focus: Truck and Bus – Holiday buses &amp; passenger transport</li> <li>- Week 38, focus: Truck and Bus - ADR</li> <li>- Week 42, focus: Truck and Bus – DRT &amp; manipulation</li> <li>- Week 47, focus: Truck and Bus – Technical condition</li> </ul> <p>In total, during the coordinated weeks of inspections, Road Transport Inspection inspected a total of 22,500 vehicles in which 11165 infringements were found.</p> <p><u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• Poznań, Poland, May 12-17, 2019 - trilateral exchange CZ-DE-PL exchange-technical condition of vehicles and tachograph manipulations</li> <li>• Katowice, Poland, June 24-27, 2019 - multilateral exchange NL-CZ-DE-RO-HR-HU-BE-LU-CH exchange - ACE (ADR Crossborder Enforcement)</li> <li>• Bordeaux, France, June 23-28, 2019 - multilateral exchange BE-NL-LU-DE-RO-CZ-HU-IE- PL-FR-HR-ES on manipulation of tachographs, technical inspection of vehicles and manipulation of AdBlue systems.</li> <li>• Osnabrück, Germany, July 8-12, 2019 - multilateral exchange ECR ADR Expert Class (dangerous goods)</li> <li>• Osnabrück, Germany, July 15-19, 2019 - multilateral exchange ECR Master Class - tachograph manipulations</li> <li>• Luxemburg, September 2-5, 2019 - multilateral exchange ACE (ADR Crossborder Enforcement)</li> <li>• Villingen, Germany, September 9-11, 2019 - international workshop on the introduction of smart tachographs and the latest manipulation methods</li> <li>• Vilnius, Lithuania, October 3, 2020 - bilateral cooperation regarding regulation of PL-LT carrier activities and inspections</li> <li>• Osnabrück, Germany, October 7-11, 2019 - ECR Master Class tachograph fraud</li> <li>• Bristol, England, October 7-10, 2019 - ECR Enforcement Transformation Exchange</li> <li>• Paris, France, October 28-30, 2019 – Meeting of the ADR Working Group on Monitoring of Roadside Checks</li> </ul> <p><u>2020</u> <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>- Week 7, focus: Truck and Bus - DRT &amp; manipulation</li> </ul>

- Week 11, focus: Truck and Bus - Manipulation & SCR systems
- Week 30, focus: Truck and Bus - Driving and resting times (Holiday buses & passenger transport)
- Week 38, focus: Truck and Bus - ADR
- Week 42, focus: Truck and Bus - DRT & manipulation;
- Week 47, focus: Truck and Bus - Technical condition

In total, during the coordinated weeks of inspections, Road Transport Inspection inspected a total of 13,284 vehicles in which 4602 infringements were found.

Exchange of experience and information:

- Due to the COVID-19 pandemic restrictions, international meetings, including foreign delegations, were cancelled or held online as videoconferences
- Events organized by the European Commission
- The participation of the representatives of Road Transport Inspection (ITD) in events organized by the European Commission, i.e. the Road Transport Committee, the Tachograph Forum and the Enforcement Working Group (EWG) - the newly created task force of the European Commission dealing with enforcement, was ensured. In terms of other activities at the European Commission, ITD experts took active participation in the operations of new working groups, i.e. the expert group on roadworthiness and vehicle registration documents (RWEG) and the expert group on the transport of dangerous goods (TDG).
- International meetings, where Road Transport Inspection participated, the more important ones being:
  - Kyiv, Ukraine, January 29, 2020 - bilateral UA-PL exchange - bilateral cooperation
  - Warsaw, Poland, March 3, 2020 - bilateral LT-PL exchange of information on control procedures and prospective cooperation within the international organization ECR
  - participation of ITD representatives in ECR working groups, including ECR - Training, which deals with the implementation of training tasks; ECR - Harmonie, responsible for the implementation of coordinated control weeks in the Member States, as well as the exchange of information on infringements and standardization of control procedures through development of common interpretation of regulations implemented into the legal systems of individual Member States; and Tacho Web Group - the ECR expert group dealing with manipulations in tachographs. As part of the working subgroups participation in: ECR DRT, ECR ADR, Data Exchange, ECR Harmonie Cargo Securing & Technical
  - videoconference: "Digital enforcement of EU road transport regulations", online workshop on road transport organized by European Labour Authority (ELA), IRU, Commission on Social Affairs Workshop
  - as part of establishing bilateral relations and possible cooperation within the framework of Euro Contrôle Route, the following videoconferences were organized:
    - September 18, 2020 PL- MD videoconference

	<ul style="list-style-type: none"> <li>- September 21, 2020 PL-UA videoconference</li> <li>- November 27, 2020 PL- AL videoconference</li> <li>- December 2, 2020, PL-UA videoconference</li> <li>- December 2, 2020, PL-TR videoconference.</li> </ul>
<b>Portugal</b>	No specific information provided except that Portugal has participated in the relevant meetings organised by the competent bodies at Community level
<b>Romania</b>	<p><u>2019</u></p> <p><u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 7 concerted checks organized by ECR, with the participation of ECR members, authorities from Austria, Netherlands, France, Belgium, Poland, United Kingdom, Ireland, Lithuania, Spain, Bulgaria, Hungary, Luxembourg, Croatia, Germany and Romania. Romania participated to all coordinated controls.</li> <li>• 2 bilateral roadside checks organised between RO-HU (15-16.04.2019, 25-26.09.2019) with main subjects: social legislation, tachograph manipulation, technical conditions for passenger and freight transport.</li> </ul> <p><u>Exchange of experience and information:</u></p> <ul style="list-style-type: none"> <li>• 2 multilateral exchanges of experience organized in France, Bordeaux (23-28.06.2019) and in Netherlands, Leiden ( 03-08.11.2019) under the aegis of ECR.</li> <li>• 2 master classes organised in Germany, Osnabruck (15-19.07.2019; 07-11.10.2019) under the aegis of ECR.</li> </ul> <p><u>2020</u></p> <p><u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 8 concerted checks organized by ECR to which were invited to participate ECR members, authorities from Austria, Netherlands, France, Belgium, Poland, United Kingdom, Ireland, Lithuania, Spain, Bulgaria, Hungary, Luxembourg, Croatia, Germany and Romania. Romania participated to all coordinated controls.</li> </ul> <p><u>Exchange of experience and information:</u></p> <p>No exchange of experience between roadside inspectors were organised due to the pandemic year.</p>
<b>Slovakia</b>	<p><u>2019</u></p> <p><u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• Joint control actions carried out with the Czech Republic (Centrum služeb pro silniční transport), Hungary (Nemzeti Közlekedési Hatóság), and Poland (Inspekcja Transportu Drogowego). The inspectors controlled social legislation in transport with the Czech Republic and Poland, and detected tampering with recording equipment with Hungary. <ul style="list-style-type: none"> <li>- 23-25 September 2019, the NIP in Žilina Region organised the 6th International Control of Social Transport Legislation with the participation of five countries (Slovakia, Czech Republic, Hungary, Poland, Ukraine) with accommodation in Mala Lučivná. Several labour inspectorates, as well as labour inspectors, with knowledge of a foreign language (Hungarian and English) were needed to ensure the control action. For this reason, several labour inspectorates</li> </ul> </li> </ul>

	<p>cooperated with the NIP in the inspection action in question: IP Žilina, IP Košice, IP Nitra, IP Banská Bystrica and IP Bratislava. 26 participants took part in the International Scrutiny Action and carried out checks at two checkpoints:</p> <ol style="list-style-type: none"> <li>1. Kysucký Lieskovec (route Žilina - Poland) - 2 checks;</li> <li>2. Sub-dry (directed Ružomberok - Banská Bystrica) - 2 checks.</li> </ol> <p>On 24 September 2019, the checks at the Podsuchá control station were attended by media representatives: RTVS and TASR. The international inspection report was broadcast in the RTVS TV newspaper on 24 September 2019.</p> <p><u>2020</u>  <u>Concerted checks:</u>  No joint controls carried out in 2020.</p>
<b>Slovenia</b>	No information provided
<b>Spain</b>	<p><u>2019</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 7 ECR coordinated controls, organized by ECR-TISPOL (passengers and goods), about the following topics: driving and resting times, tachograph manipulation, holiday buses and passenger transport, ADR, technical condition.</li> </ul> <p><u>2020</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• 2 (out of 8 planned) ECR coordinated controls, organized by ECR-TISPOL (passengers and goods) took place in Spain.</li> </ul>
<b>Sweden</b>	<p><u>2019</u>  <u>Concerted checks:</u></p> <ul style="list-style-type: none"> <li>• One planned concerted check was conducted with Norway and Denmark.</li> <li>• Several spontaneous concerted controls have been conducted with Finland and Denmark.</li> </ul> <p><u>2020</u>  No concerted checks during 2020 due to the pandemic.</p>

### 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, most Member States reported in the area and some reported changes in 2019-2020<sup>30</sup>.

Denmark has a graded fines system in which the fee for the driver must be graduated with fees for minor infringements being DKK 500 and for the most serious infringements DKK 6,000. Similarly, the fee for the undertaking must be graduated with fees for minor infringements being DKK 1,000 and for the most serious infringements DKK 12,000. In

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<sup>30</sup> Denmark, Finland, Latvia and the Netherlands.

Denmark, new rules<sup>31</sup> entered into force on 1 March 2020 introducing a fine level for illegal weekly rest taken in the vehicle, so that taking regular weekly rest in the vehicle is considered a special aggravating circumstance. Thus, the fine for the driver is DKK 10,000 per offence and the fine for the undertaking is DKK 20,000 per offence.

In Latvia, a Law on Administrative Liability replaced the Latvian Code of Administrative Offences since 1 July 2020. The main changes are that each offence is now sanctioned with a separate fine. Until that date, if there was more than one infringement, the fine was inclusive (the offender was fined only for the most severe offence).

The Bulgarian authorities confirmed that the increased amount of sanctions for some offenses had a deterrent effect, leading to a reduction in traffic offenses and an increase in road safety.

In the Netherlands, as of 1 January 2019, fines for tachograph fraud in road transport have been significantly increased. Employers who cause their drivers to violate the legislation on working time and rest periods are liable to a fine of up to EUR 10,375. Previously, the fine was EUR 1500 or EUR 4400. For the driver working as an employee, the fine is EUR 1500. The strengthening of the penalty regime is intended to encourage undertakings and drivers to record driving times and rest periods more correctly and accurately.

At the time of writing this report, a new Article 19(1) of Regulation (EC) No 561/2006 adopted under Mobility Package I has started applying on 20 August 2020. According to this Article, Member States are obliged to inform the Commission about changes to penalties, and the Commission is required to publish this information on a dedicated website in all official EU languages<sup>32</sup>. The information related to national penalties is available on the Commission's website<sup>33</sup>.

#### **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.

In addition, according to Article 14(2) of Regulation (EC) No 561/2006, Member States may also grant, under exceptional circumstances, temporary exceptions on driving times, breaks and rest periods for a period not exceeding 30 days. The wide majority of Member States adopted temporary exceptions due to the Covid-19 crisis in 2020. Furthermore, some of Member States also requested the authorisation to the Commission to grant temporary exceptions under Article 14(1) of the Regulation.

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<sup>31</sup> Act No 139 of 25 February 2020 amending the Road Traffic Act.

<sup>32</sup> Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 article 19(1).

<sup>33</sup> [https://transport.ec.europa.eu/transport-modes/road/social-provisions/enforcement\\_en](https://transport.ec.europa.eu/transport-modes/road/social-provisions/enforcement_en)

The table below illustrates the exceptions, which have been introduced since the entry into force of Regulation (EC) No 561/2006. The information is also available on the Commission's website<sup>34</sup>.

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<sup>34</sup> [https://ec.europa.eu/transport/sites/transport/files/national\\_exceptions\\_regulation\\_2006\\_561.pdf](https://ec.europa.eu/transport/sites/transport/files/national_exceptions_regulation_2006_561.pdf)



13.1 o: hub facilities <sup>14</sup>	X	X	X	X	X	X	X		X	X	X	X	X	X		X	X			X <sup>14</sup>	X	X	X	X	X	X	
13.1 p: live animals farms - > markets and vice versa	X	X <sup>15</sup>		X <sup>15</sup>	X <sup>15</sup>	X <sup>15</sup>	X	X <sup>15</sup>	X <sup>15</sup>	X <sup>15</sup>	X		X <sup>15</sup>	X		X <sup>15</sup>	X <sup>15</sup>				X <sup>15</sup>	X <sup>15</sup>	X	X <sup>15</sup>	X	X	
13.1 q: construction machinery <100km							X																	X		X	
13.1 r: ready-mixed concrete							X																	X		X	

1. 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. Greece – only vehicles owned by owners of self propelled combine harvesters, used or hired without a driver by agricultural undertakings, for carrying goods as part of their own entrepreneurial activity within a radius of up to 100 km from the operational base that the combine harvester has each time.
  - d. Slovenia – within a radius of up to 50 km
  - e. Spain – agriculture etc. own activity within a range < 50 km
2. The following Member States introduced additional restrictions:
  - a. Slovenia - within a radius of up to 50 km
3. The following Member States introduced additional restrictions:
  - a. Belgium, Croatia, Cyprus, Czech Republic, Finland, France, Hungary, Italy, Latvia, Lithuania, Luxembourg, Poland, Portugal, Spain – within a radius < 50km
4. The following Member States introduced additional restrictions:
  - a. In Cyprus, Czech Republic, Denmark, Germany, Croatia, Finland, Ireland, Malta, Poland, Portugal, Spain and Sweden the old exception still applies, namely *“vehicles operating exclusively on islands not exceeding 2 300 square kilometres in area which are not linked to the rest of the national territory by a bridge, ford or tunnel open for use by motor vehicles”*
  - b. Old exception still applies in France for vehicles operating on islands <400 square km
  - c. Old exception still applies in Spain for vehicles operating on islands < 250 square km
5. The following Member States introduced additional restrictions:
  - a. Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Lithuania, Poland, Portugal, Spain – within a radius < 50km
6. 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
7. 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

8. 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

9. The following Member State introduced additional restrictions:

a. Spain - only when own activity

10. 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

11. 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

12. The following Member State introduced additional restrictions:

a. Germany - within a radius of up to 250 km of the base of the undertaking

13. The following Member State introduced additional restrictions:

a. The Netherlands – on or between hub facilities within a range of 5 km

14. The following Member State introduced additional restrictions:

a. Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Latvia, Lithuania, , Poland, Portugal, Spain– within a radius < 50km

## 15. Comments and proposals

A number of Member States provided comments and proposals related to the enforcement of the EU road transport social rules.

Some Member States referred to the training of enforcers at national level. Austrian authorities reported on the continuation of the training programme for the inspection bodies of their Federal Ministry of the Interior and the Federal Ministry of Labour, Social Affairs and Consumer Protection. This covers social legislation and the detection of manipulation based on the TRACE project<sup>35</sup>. The Slovak authorities reported a lack of knowledge of occupational safety and health rules in all undertakings, which have a transport activity as part of the activities or carry out that activity in the context of another business.

The Netherlands brought attention to increasing knowledge and, where necessary, purchasing equipment. The Netherlands focuses on acquiring the appropriate technology in order to better monitor and investigate more drivers digitally at the beginning of 2022. The Netherlands also stressed the importance of active working groups, meetings and direct contacts with manufacturers, the European Commission and JRC (EC Joint Research Centre) to disseminate knowledge on new tachograph manipulation. In addition, they pointed out that any undesirable development in the field of tachograph manipulation required intensified controls, resulting in lengthy and complex investigations. A new registration system (Holmes), offers more possibilities for the inspector to indicate how many driving days have been actually checked during company inspections.

Slovakia shared the fact that the ratio of detected deficiencies per working days checked increased in the country in 2020, which means that it is necessary to continue to raise awareness of the legislation among drivers and employers, to improve the quality of drivers checks and to train labour inspectors. However, there is still a need to initiate a change in the legislation concerning the controls of social legislation in the transport sector, as the changes in the law made in previous periods have not had the desired effect.

A number of Member States pointed out that digital tachographs and related computerised enforcement systems improved the quality of checks and hence the enforcement of social legislation. Indeed, Member States indicated that the data recorded in digital tachographs significantly reduce the possibility of concealment or falsification and increases drivers' compliance with social legislation. The new smart tachograph 2, whose technical specifications were adopted in 2021<sup>36</sup>, will allow even more data to be recorded to facilitate the enforcement of the new social rules, such as border crossings and loadings and unloadings. Together with increased awareness, this should lead to more efficient and intelligent enforcement of social legislation in road transport.

Italian authorities reported difficulties due to the complexity and detailed rules of the controls at the premises, which involve a considerable effort with significant human and material

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<sup>35</sup> [https://transport.ec.europa.eu/transport-modes/road/social-provisions/enforcement\\_en](https://transport.ec.europa.eu/transport-modes/road/social-provisions/enforcement_en)

<sup>36</sup> [Commission Implementing Regulation \(EU\) 2021/1228 of 16 July 2021 amending Implementing Regulation \(EU\) 2016/799 as regards the requirements for the construction, testing, installation, operation and repair of smart tachographs and their components.](#)

resources. They still face the challenges in achieving the required ratio of checks at the premises.

The Swedish authorities commented on the content of the biennial report. They pointed out that the report should reflect all infringements according to Annex III of Regulation (EU) No 2016/403, as many infringements of other specific articles are not included, e.g. the number of vehicles stopped for roadside check by type of tachograph is not the same as the number of vehicles stopped for roadside check by type of road and by country.

## **16. Interpretation of Regulation (EC) No 561/2006 and Directive 2002/15/EC**

In the recent years, the Court of Justice of the European Union (CJEU) shed light on interpretation of Regulation (EC) No 561/2006 by means of the rulings in Case C-834/18 *Rolibérica*<sup>37</sup>. The question at stake was whether the Regulation is to be interpreted as meaning that the ‘weekly rest period’ for drivers involved in the carriage of goods and passengers by road, within the meaning of Article 8 of the Regulation, must begin and end between 00.00 hours on Monday and 24.00 hours on Sunday (having regard to the definition of the term ‘week’ in Article 4(i)) or, on the contrary, can it be taken completely and uninterruptedly between two working weeks.

In its order of 10 April 2019<sup>38</sup>, the CJEU ruled that the Regulation 561/2006 is to be interpreted as meaning that the ‘weekly rest period’ within the meaning of Article 8 of that Regulation does not necessarily have to end in the course of the ‘week’, as defined in Article 4(i) of that Regulation.

Regarding judicial interpretation by national courts, the Member States reported few national Court decisions interpreting Directive 2002/15/EC during 2019-2020. Most rulings regarded the interpretation of breaks, rest periods and ‘periods of availability’.

Estonia reported that legal disputes concerning the implementation of Directive 2002/15/EC had been settled by the courts of first instance and there were no rulings by the highest court.

Sweden also reported that only a few cases were subject to judicial review, but there were no guidance rulings issued by the higher courts.

In Spain, there were a number of court cases related to collective agreements, working time, breaks, periods of availability concerning, for example, the calculation of hours of presence at the employer’s disposal, payments for more than 20 hours of availability, and the payments of daily allowances.

The Bulgarian authorities informed that they do not have any information available on the specific interpretation or application of Directive 2002/15/EC in the rulings of the national courts, nor any relevant problems encountered in the exercise of control under the Directive, which appears to be effective.

## **17. Monitoring and control arrangements of Directive 2002/15/EC in Member States**

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<sup>37</sup> [https://curia.europa.eu/jcms/jcms/P\\_126035/en/](https://curia.europa.eu/jcms/jcms/P_126035/en/) (<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62018CO0834>)

<sup>38</sup> <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62018CO0834>

All Member States implemented Directive 2002/15/EC. The monitoring of implementation of the Directive is ensured at national level by different authorities depending on the Member State. The bodies responsible for the monitoring and control arrangements of Directive 2002/15/EC can be the labour inspectorate, road transport agency, occupational health and safety authority, police, road safety authorities and road transport inspections.

### **18. 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 the national level.

Like in the previous reporting period, Cyprus reported difficulties in implementing the relevant legislation in situations when drivers frequently change vehicles. These difficulties can occur, for instance, when a driver uses different generations of tachographs in each of the driven vehicle, or when he or she drives both vehicles covered by regulations requiring the use of tachographs and vehicles benefitting from an exemption from the obligation to use tachographs. In order to control these cases more effectively, Cyprus suggested that undertakings should keep detailed records of data from both tachograph and other documents on the working time in line with Article 9 of Directive 2002/15/EC.

The Czech authorities informed that there are still difficulties when checking compliance with the provisions of Directive 2002/15/EC in the situation where drivers are employed by more than one employer and where those undertakings are not generally aware of themselves. The same problem was reported by Austria. Another problem reported by the Czech authorities concerned undertakings operating regular passenger transport services or lines of up to 50 kilometers, which are not obliged to check records of working time performed for another transport undertaking. The activities of public transport and bus drivers are not recorded by any technical equipment, such as the digital tachograph. This precludes the possibility of checking the working and rest times of these drivers on the basis of digitally recorded data, including the possibility of verifying timesheets worked for another employer. As reported, these cases of working for two employers without respecting rest periods are difficult to prove.

Several Member States reported a lack of human resources to ensure adequate enforcement of their national regulations under Directive 2002/15/EC. In particular, it was reported that monitoring compliance with the provisions of this Directive requires considerable investigative effort on the part of competent authorities. This is particularly true in relation to the requirement of compensation for weekly working time. The Czech Authorities raised the issue of competitiveness, because Directive 2002/15/EC sets weekly working time for mobile workers at an average of 48 hours, which is significantly higher than the weekly working time set out by the Czech Labour Code, which is 40 hours per week. To remain competitive, Czech carriers deliberately exceed the weekly working time limits for drivers driving international trucks. Self-employed drivers, whose working hours are regulated by another act, which is not subject to State Labour Inspection Office control, continue to enjoy a competitive advantage and allow such drivers to work 48 hours per week.

The Swedish authorities commented that the infringements in working time legislation are not due to the legislation itself but to the inspection activities, and stressed the importance of cooperation and dialogue between authorities and social partners.

From the Italian perspective, entering into agreements with trade union by many companies in the sector allowed to adapt their work organisation to the working time rules. The authorities also highlighted the importance of adopting a dedicated IT application to facilitate control activities, as it is now possible to separately monitor infringements by the driver of road traffic rules and national rules transposing the European Directive, as well as to assess on a monthly basis the driver's overall working time and the consequences in terms of salary and social security and insurance contributions due to the worker.

### **19. Stakeholders' views on implementation of Directive 2002/15/EC in Member States**

Only 10 Member States<sup>39</sup> clearly indicated that social partners had been consulted for the purpose of this reporting exercise. This number is slightly lower compared to the last report with 12 Member States. Germany, Poland and Portugal quoted a significant number of organisations, which were consulted. In all Member States, this consultation consisted in getting the views of representatives of employers and trade unions. The views of social partners were not always reflected in a separate section or paragraph, but rather incorporated throughout the document, indistinctly from the views of national authorities. However, the feedback from social partners was an important element of the report from seven Member States<sup>40</sup>.

Therefore, opinions from social partners cannot be analysed as they do not constitute a representative sample. The Commission would like to remind Member States that Article 13(1) of Directive 2002/15/EC requires them to include the views of both sides of industry as part of this reporting exercise. The received feedback from national social partners can be found in the table below.

#### ***Feedback from national social partners***

- In France, the social partners reiterated their wish for a high-level of European social legislation in order to guarantee healthy and fair competitive conditions for companies and to ensure quality jobs in the sector. The trade unions remain committed to the national legislation on working time, as it is generally more favourable to workers than European legislation. They do not want to see any changes to the latter that would jeopardise the balance between the interests of drivers and the needs of companies. They very much expect to see a strengthening of the control policy to better guarantee the application of the existing rules. The professional organisations also supported measures to improve the organisation of drivers' work.
- In Germany, only one trade union recommended the provision of adequate technical and human resources, including instruments of financial penalties, for police and control authorities. The issue of working time other than driving time was also pointed out, especially with regard to the start-up time of

<sup>39</sup> Cyprus, Estonia, Finland, France, Germany, Italy, Poland, Portugal, Slovakia, and Sweden. Austria informed that draft report was discussed in the Parliament publicly available on the Labour Inspectorate website.

<sup>40</sup> France, Germany, Poland, Italy, Slovakia, Portugal, and Sweden.

mobile workers if vehicles are not available at the driver's residence. It was suggested that supervisory authorities should obtain a reliable picture of how often Article 12 of Regulation (EC) No 561/2006 is used to enforce compliance with working times.

- In Poland, the Chamber of Commerce for Motor Transport and Forwarding commented on the content of the national report, expressing doubts regarding the number of drivers inspected by the National Labour Inspectorate, the number of infringements detected by the General Inspectorate of Road Transport, and the lack of information on inspections of foreign haulers. The Polish authorities explained both inspectorates confirmed the accuracy of the data provided, the number of inspections carried out and the infringements detected.
- One Slovakian trade union recommended that the EU should introduce a common legislative harmonisation of the way sanctions are categorised and on the level of penalties for serious infringements, since this would reduce or eliminate significant differences in the type and level of penalties imposed during inspections between countries.
- Portugal, feedback from the industry was generally positive. No comments were received from trade unions.
- In Sweden, feedback from the industry was also generally positive. In particular, the lack of direct sanctions and the fact that employers and self-employed workers have the possibility to adapt their behaviour to the working time regulations were appreciated. It was also reported that although shortcomings had been identified during the inspection activities, no action plan or follow-up had been found to address these shortcomings.
- The Italian employers' associations were generally positive about collective agreements that were concluded by most Italian companies with the trade unions. It was pointed out that the flexibility of the Directive has been decisive for the preservation of road transport undertakings, even in the situation of the COVID-19 crisis. In contrast, the flexibility aspect of the system is no longer fully accepted by the trade unions, which considered that the current context has changed profoundly since 2008 and needs the reassessment. Trade unions also called for increased checks both at the roadside and at the premises.

Some employers' associations also stressed the need for strengthen European action, making the following proposals:

- 1) Creation of a special status for "mobile workers" operating within the EU, including professional drivers engaged in international activities. This special regime should entail a minimum wage at European level and a uniform social security;
- 2) Establishment of a mandatory, nominative and transparent European register of drivers with a harmonised social role (remuneration and social security);
- 3) Introduction of a derogation from Regulation (EC) No 883/2004 stating, in the case of the posting of

workers performing mobile road transport activities, the application of a single European social security system;

4) Establishment of a European Road Transport Agency.

## **20. Statistics on working days checked at the roadside and premises in 2019-2020**

MS	Minimum checks	Total number 2019-2020	At the roadside	At the premises	Min. checks required in % at roadside	Min. checks required in % at premises	Working days checked in %
AT	1.409.760	3.778.471	3.050.677	727.794	81%	19%	8,0%
BE	1.860.857	1.950.531	1.603.102	347.429	82%	18%	3,1%
BG	3.568.986	3.695.276	1.753.420	1.941.856	47%	53%	6,2%
HR	768.211	836.128	553.853	282.275	66%	34%	3,3%
CY	140.994	175.171	58.305	116.866	33%	67%	3,7%
CZ	1.470.374	1.976.676	1.270.930	705.746	64%	36%	3,9%
DK	660.000	823.750	526.620	297.130	64%	36%	3,7%
EE	250.800	265.879	97.092	168.787	37%	63%	3,2%
FI	1.087.535	1.697.655	1.123.527	574.128	66%	34%	4,7%
FR	6.899.244	16.222.034	13.608.973	2.613.061	84%	16%	7,1%
DE	9.348.198	21.555.057	17.741.619	3.813.438	82%	18%	6,9%
EL	3.492.465	2.779.225	337.725	2.441.500	12%	88%	2,4%
HU	3.338.701	2.515.902	1.894.032	621.870	75%	25%	2,3%
IE	3.890.937	587.859	103.657	484.202	18%	82%	0,5%
IT	17.394.774	8.638.031	7.181.012	1.457.019	83%	17%	3,0%
LV	441.986	1.319.678	535.540	784.138	41%	59%	9,0%
LT	924.240	1.051.196	391.741	659.455	37%	63%	3,4%
LU	169.128	164.289	106.652	57.637	65%	35%	2,9%
MT	2.856	224	224	-	100%	-	0,2%
NL	1.809.812	885.196	758.814	126.382	86%	14%	1,5%
PL	7.160.358	8.250.569	4.377.935	3.872.634	53%	47%	3,5%
PT	772.715	1.620.756	1.181.202	439.554	73%	27%	6,3%
RO	1.668.634	15.508.290	7.920.369	7.587.921	51%	49%	15,9%
SK	504.000	545.675	203.945	341.730	37%	63%	3,2%
SI	432.945	643.563	342.538	301.025	53%	47%	4,5%
ES	6.021.284	9.954.539	6.938.169	3.016.370	70%	30%	5,0%
SE	1.003.200	1.437.935	919.937	517.998	64%	36%	2,2%
<b>TOTAL</b>	<b>76.492.994</b>	<b>108.879.555</b>	<b>74.581.610</b>	<b>34.297.945</b>	<b>60%</b>	<b>40%</b>	<b>4,5%</b>

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

MS	National vehicles	Non-national	Third countries	Total
AT	952.313	2.052.794	45.570	3.050.677
BE	575.527	907.509	120.066	1.603.102
BG	947.117	439.233	367.070	1.753.420
HR	346.625	57.952	149.276	553.853
CY	58.305	-	-	58.305
CZ	636.268	580.577	54.085	1.270.930



<b>DK</b>	374.295	146.805	5.520	526.620
<b>EE</b>	76.002	18.130	2.960	97.092
<b>FI</b>	921.581	115.109	86.837	1.123.527
<b>FR</b>	4.514.792	8.835.906	258.274	13.608.973
<b>DE</b>	8.025.111	8.862.461	854.047	17.741.619
<b>EL</b>	282.964	36.509	18.252	337.725
<b>HU</b>	839.328	843.836	210.868	1.894.032
<b>IE</b>	88.785	14.741	131	103.657
<b>IT</b>	5.768.989	1.284.741	127.282	7.181.012
<b>LV</b>	224.565	200.762	110.213	535.540
<b>LT</b>	290.989	59.970	40.782	391.741
<b>LU</b>	31.218	73.350	2.084	106.652
<b>MT</b>	84	140	-	224
<b>NL</b>	296.206	433.231	29.377	758.814
<b>PL</b>	2.219.921	1.003.925	1.154.089	4.377.935
<b>PT</b>	1.123.218	57.893	91	1.181.202
<b>RO</b>	6.544.145	922.460	453.764	7.920.369
<b>SK</b>	90.292	99.550	14.103	203.945
<b>SI</b>	79.579	172.709	90.250	342.538
<b>ES</b>	6.186.408	723.623	28.138	6.938.169
<b>SE</b>	483.665	412.712	23.560	919.937
<b>TOTAL</b>	<b>41.978.292</b>	<b>28.356.628</b>	<b>4.246.689</b>	<b>74.581.610</b>

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

<b>MS</b>	<b>Total drivers</b>	<b>Nationals</b>	<b>Non-nationals</b>	<b>3<sup>rd</sup> countries</b>	<b>Carriage of passengers</b>	<b>Carriage of goods</b>
<b>AT</b>	181.226	57.426	117.489	6.311	1.656	179.570
<b>BE</b>	148.684	55.876	82.121	10.687	5.519	143.165
<b>BG</b>	102.840	63.408	11.317	28.115	14.107	88.733
<b>HR</b>	22.059	13.999	2.256	5.804	2.582	19.477
<b>CY</b>	3.799	3.799	0,00%	0	769	3.030
<b>CZ</b>	66.953	37.099	26.684	3.170	3.052	63.901
<b>DK</b>	39.009	27.725	10.875	409	7.508	31.501
<b>EE</b>	7.880	6.423	1.202	255	194	7.686
<b>FI</b>	39.432	31.970	4.246	3.216	999	38.433
<b>FR</b>	547.638	206.093	331.699	9.846	35.601	512.037
<b>DE</b>	903.949	424.802	434.089	45.058	26.495	877.454
<b>EL</b>	87.402	72.032	10.931	4.439	64.110	23.292
<b>HU</b>	67.644	29.976	30.137	7.531	895	66.749
<b>IE</b>	4.335	3.705	624	6	4.031	304
<b>IT</b>	592.210	493.773	89.315	9.122	25.988	566.222
<b>LV</b>	24.441	11.255	8.396	4.790	585	23.856
<b>LT</b>	14.928	11.273	2.239	1.416	773	14.155
<b>LU</b>	6.667	1.917	4.609	141	225	6.442

<b>MT</b>	<b>8</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>-</b>	<b>8</b>
<b>NL</b>	26.166	10.214	14.939	1.013	466	25.700
<b>PL</b>	371.509	220.866	69.693	80.950	78.154	293.355
<b>PT</b>	40.194	37.986	2.193	15	3.800	36.394
<b>RO</b>	526.743	438.070	56.927	31.746	76.311	450.432
<b>SK</b>	10.599	4.903	4.772	924	621	9.978
<b>SI</b>	17.224	5.881	7.362	3.702	1.904	15.041
<b>ES</b>	431.304	396.589	32.584	2.131	1.904	402.225
<b>SE</b>	38.402	19.984	17.252	1.166	472	37.930
<b>TOTAL</b>	<b>4.323.245</b>	<b>2.687.047</b>	<b>1.373.956</b>	<b>261.963</b>	<b>358.721</b>	<b>3.937.070</b>

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

MS	Total	National	Non-national	3 <sup>rd</sup> country	Analog. tachogr.	% analog.	Digital tachogr.	% digital	Smart tacho	% smart
AT	181.226	57.426	117.489	6.311	7228	4%	170863	94%	3135	2%
BE	115.410	46.472	60.815	8.123	4113	4%	88251	76%	23046	20%
BG	102.840	81.539	7.507	13.794	24279	24%	78561	76%	-	-
HR	21.509	13.924	2.146	5.439	-	-	-	0%	11	-
CY	3.799	3.799	-	-	2663	70%	1135	30%	1	-
CZ	69.433	36.667	29.816	2.950	9331	13%	59521	86%	581	1%
DK	32.480	20.427	11.715	338	1350	4%	31130	96%	-	-
EE	7.880	6.423	1.202	255	2209	28%	5601	71%	70	1%
FI	39.432	31.939	4.441	3.052	5.855	15%	28.204	72%	5.373	14%
FR	537.082	205.075	322.470	9.537	80562	15%	380542	71%	75978	14%
DE	810.066	385.163	381.721	43.182	46893	6%	761501	94%	1672	-
EL	87.402	70.443	11.574	5.385	49296	56%	38106	44%	-	-
HU	65.657	27.884	30.581	7.192	8882	14%	56775	86%	-	-
IE	4.335	3.705	624	6	716	17%	3619	83%	-	-
IT	592.158	493.730	89.307	9.121	145613	25%	446369	75%	176	-
LV	24.430	11.255	8.451	4.724	5726	23%	18704	77%	-	-
LT	-	-	-	-	-	-	-	-	-	-
LU	6.667	1.915	4.615	137	572	9%	6095	91%	-	-
MT	8	3	5	-	2	25%	6	75%	-	-
NL	26.166	10.214	14.939	1.013	2503,976	10%	22391,9	86%	1270,128	5%
PL	332.765	196.055	62.341	74.369	63282	19%	227723	68%	1.727	1%
PT	40.192	38.005	2.168	19	11950	30%	28242	70%	-	-
RO	519.464	432.146	55.397	31.921	307540	59%	209684	40%	2240	-
SK	10.769	4.853	4.992	924	576	5%	10193	95%	-	-
SI	13.655	6.392	3.698	3.565	1648	12%	12002	88%	5	-
ES	431.304	394.037	34.879	2.388	38584	9%	306760	71%	-	-
SE	36.588	19.715	16.126	747	2098	6%	34490	94%	-	-
<b>TOTAL</b>	<b>4.112.717</b>	<b>2.599.206</b>	<b>1.279.019</b>	<b>234.492</b>	<b>831.485</b>	<b>20%</b>	<b>3.039.954</b>	<b>74%</b>	<b>115.285</b>	<b>3%</b>

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

MS	Number of drivers 2019-2020	Number of undertakings 2019-2020	At the premises
AT	11.469	1.297	727.794
BE	16.765	3.529	347.429
BG	96.751	7.643	1.941.856
HR	1.717	271	282.275
CY	1.349	554	116.866
CZ	6.142	775	705.746
DK	22.487	2.366	297.130
EE	3.022	247	168.787
FI	10.658	1.810	574.128
FR	61.499	3.490	2.613.061
DE	56.915	5.057	3.813.438
EL	9.766	1.798	2.441.500
HU	4.409	955	621.870
IE	3.771	340	484.202
IT	15.505	4.720	1.457.019
LV	2.969	361	784.138
LT	17.468	846	659.455
LU	2.015	122	57.637
MT	-	-	-
NL	4.358	237	126.382
PL	29.286	3.543	3.872.634
PT	4.523	831	439.554
RO	7.366	1.262	7.587.921
SK	5.237	640	341.730
SI	1.674	327	301.025
ES	93.602	14.919	3.016.370
SE	9.220	360	517.998
<b>TOTAL</b>	<b>499.943</b>	<b>58.300</b>	<b>34.297.945</b>

**25. Statistic on types of offences at roadside**

MS	Driving time	Breaks	Rest periods	28 days record sheets	Record. equipm. incorrect function.	Record. equipm. misuse/manipul.	Lack/avail. of records for other work	Total number of offences 2019-2020
AT	42.935	76.245	60.613	41.333	627	2843	20.772	245.368
BE	1.701	1.613	4.075	137	538	989	75	9.128
BG	236	311	1.348	639	219	169	689	3.611
HR	743	1.311	3.420	1.838	33	1288	297	8.930
CY	17	325	90	36	172	0	8	648
CZ	3.386	6.433	7.779	21.908	504	365	1.060	41.435
DK	167	128	880	5	910	1071	48	3.209

EE	223	586	655	731	338	1287	51	3.871
FI	516	998	524	-	15	13	-	2.066
FR	32.871	4.397	43.696	10	13.941	1.201	-	96.116
DE	61.773	42.806	62.123	99.345	82469	2670	68.248	419.434
EL	7.797	6.076	12.986	5.694	2088	2775	5.728	43.144
HU	246	834	1.139	-	211	389	-	2.819
IE	118	1.618	929	886	812	2	-	4.365
IT	14.474	11.644	18.472	40.784	4823	1420	443	92.060
LV	204	213	448	1.070	31	58	-	2.024
LT	568	61	557	656	388	142	176	2.548
LU	1.106	927	755	20	12	3	250	3.073
MT	10	1	7	1	2	-	7	28
NL	1.586	1.549	2.397	96	663	2044	-	8.335
PL	18.885	20.484	43.996	1.286	2792	16688	21.851	125.982
PT	5.805	3.611	6.366	4.195	2507	4751	1.756	28.991
RO	6.470	5.742	18.118	2.688	2426	13571	635	49.650
SK	987	2.476	2.130	699	366	106	220	6.984
SI	2.027	1.306	2.575	304	822	997	1.179	9.210
ES	32.373	16.479	55.601	14.992	5485	533	7	125.470
SE	6.040	6.467	7.334	175	263	102	78	20.459
<b>TOTAL</b>	<b>243.264</b>	<b>214.641</b>	<b>359.013</b>	<b>239.528</b>	<b>123457</b>	<b>55477</b>	<b>123.578</b>	<b>1.358.958</b>

## **26. Statistics on types of offences at premises**

MS	Driving time	Breaks	Rest periods	Offences for driving time records	Recording equipment incorrect function.	Recording equipment manipul.	Lack/avail. of records for other work	Total number of offenses 2019-2020
AT	731	1.666	1.607	2	539	18	-	4.563
BE	2.727	3.356	8.768	380	-	79	-	15.310
BG	184	18	218	285	85	39	24	853
HR	239	565	1.140	3	-	185	232	2.364
CY	668	6.401	5.852	326	753	2	46	14.048
CZ	1.270	2.120	2.878	4.820	206	362	93	11.749
DK	122	1.224	675	216	4	-	-	2.241
EE	331	369	1.041	20	-	-	2	1.763
FI	5.941	21.118	14.502	435	125	734	150	43.005
FR	1.465	609	4.586	1.501	7	2.081	1	10.250
DE	40.909	122.354	53.155	7.946	13.330	204	38.695	276.593
EL	478	99	342	3	-	-	2	924
HU	356	431	759	3.248	12	17	457	5.280
IE	92	4.543	2.219	365	370	-	-	7.589
IT	3.833	7.085	6.809	42.138	481	585	420	61.351
LV	-	-	-	-	-	-	-	-
LT	2.250	954	2.145	1.379	23	365	176	7.292
LU	911	1.411	1.989	11	5	9	53	4.389
MT	-	-	-	-	-	-	-	-
NL	1.277	4.469	2.176	6.366	-	1.567	2	15.857

<b>PL</b>	10.266	21.805	25.059	272.575	127	3.040	17.119	349.991
<b>PT</b>	59	32	78	3	-	-	-	172
<b>RO</b>	382	458	1.477	44	12	215	-	2.588
<b>SK</b>	2.417	4.276	4.866	358	8	81	106	12.112
<b>SI</b>	412	515	750	197	17	74	26	1.991
<b>ES</b>	5.290	2.987	7.577	8.086	561	328	137	24.966
<b>SE</b>	1.015	3.086	3.417	1.721	276	-	2.899	12.414
<b>TOTAL</b>	<b>83.625</b>	<b>211.951</b>	<b>154.085</b>	<b>352.428</b>	<b>16.941</b>	<b>9.985</b>	<b>60.640</b>	<b>889.655</b>