

Penalties for infringements of the provisions of Regulation (EC) No 561/2006 and Regulation (EU) No 165/2014

Please find information about relevant penalties for each type of infringement described and their level of seriousness.

Level of seriousness for infringements			
MSI = most serious infringements	VSI = very serious infringement	SI = serious infringement	MI = minor infringement

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

National legislation for penalties related to infringements:		Further information regarding national legislation for penalties related, please send a request to address: kirjaamo.poliisihallitus@poliisi.fi						
EU LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS				Type of penalty		
		MSI	VSI	SI	MI	Administrative	Financial	Criminal
Crew								
Art 5.1	Not respecting minimum ages for conductors			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 20 day-fines at maximum a 25€	
Driving periods								
Art. 6.1	Exceed daily driving time of 9h if possibilities to extend to 10h not allowed	9h < ... < 10h				X	day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	

		$10h \leq \dots < 11h$			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$11h \leq \dots$		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
	Exceed daily driving time of 9h by 50 % or more	$13h30 \leq \dots$	X					day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
	Exceed extended daily driving time of 10h if extension allowed	$10h < \dots < 11h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$11h \leq \dots < 12h$			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$12h \leq \dots$		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
	Exceed daily driving time of 10h by 50 % or more	$15h \leq \dots$	X					day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 6.2	Exceed weekly driving time	$56h < \dots < 60h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	

		$60h \leq \dots < 65h$			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$65h \leq \dots < 70h$		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
	Exceed weekly driving time by 25 % or more	$70h \leq \dots$	X					day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 6.3	Exceed maximum total driving time during 2 consecutive weeks	$90h < \dots < 100h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$100h \leq \dots < 105h$			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$105h \leq \dots < 112h30$		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
	Exceed maximum total driving time during 2 consecutive weeks by 25 % or more	$112h30 \leq \dots$	X					day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 6.5	Lacking records for “other work” and “periods of availability”			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€		

Art. 12	Lacking indication of reasons for exceeding driving times in exceptional circumstances			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
	Not taking a break of 30 minutes prior to additional driving of more than 1 hour and less than 2 hours			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
	Exceeding daily and/or weekly driving by more than two hours in cases where an uninterrupted break of 30 minutes was taken immediately prior to the additional driving			X			
Art. 12	No compensation of equivalent rest period for an extended driving time			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€

Breaks

Art. 7	Exceed uninterrupted driving time of 4,5 hours before taking the break	4h30 < ... < 5h			X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		5h ≤ ... < 6h			X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€

		$6h \leq \dots$		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
Rest Periods									
Art. 8.2	Insufficient daily rest period of less than 11h if reduced daily rest period not allowed	$10h \leq \dots < 11h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$8h30 \leq \dots < 10h$			X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€		
		$\dots < 8h30$		X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€		
	Insufficient reduced daily rest period of less than 9h if reduce allowed	$8h \leq \dots < 9h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€	
		$7h \leq \dots < 8h$			X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€		
		$\dots < 7h$		X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€		
	Insufficient split daily rest period of less than 3h + 9h	$3h + [8h \leq \dots < 9h]$					X		
		$3h + [7h \leq \dots < 8h]$			X				

		$3h + [\dots < 7h]$		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
Art 8.5	Insufficient daily rest period of less than 9h for multi-manning	$8h \leq \dots < 9h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		$7h \leq \dots < 8h$			X			
		$\dots < 7h$		X				
Art 8.6	Insufficient reduced weekly resting period of less than 24 h	$22h \leq \dots < 24h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		$20h \leq \dots < 22h$			X			
		$\dots < 20h$		X				
	Insufficient weekly resting period of less than 45 h if reduced weekly resting period not allowed	$42h \leq \dots < 45h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		$36h \leq \dots < 42h$			X			
		$\dots < 36h$		X				
Article 8.6	Exceeding 6 consecutive 24-hour periods following the previous weekly rest period	$\dots < 3h$				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		$3h \leq \dots < 12h$			X			
		$12h \leq \dots$		X				
Art 8.6	Compensation for two consecutive reduced weekly rest periods not taken <i>en bloc</i> with the following weekly rest period			X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€

	Less than two regular weekly rest periods in any four consecutive weeks		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 9	Daily rest period interrupted more than twice by other activities or for a period of time exceeding one hour in total			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 9	Weekly rest period interrupted more than twice by other activities or for a period of time exceeding one hour in total			X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 9	Recording 'rest' for the time spent on ferry or train without having an access to a sleeper cabin, bunk or couchette				X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€

12-day rule derogation

Art. 8.6a.	Exceeding 12 consecutive 24-hour periods following a previous regular weekly rest	... < 3h			X		day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		3h ≤ ... < 12h		X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		12h ≤ ...	X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€

Art. 8.6a. (b)(ii)	Weekly rest period taken following 12 consecutive 24-hour periods	65h < ... ≤ 67h		X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		... ≤ 65h		X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 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			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
		4,5 h ≤ ...		X			day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€

Work organisation

Art. 10.1	Link between wage and distance travelled or amount of goods carried		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 20 day-fines at maximum a 25€
Art. 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				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 20 day-fines at maximum a 25€
Art. 8.8	Transport undertaking unable to prove the work organisation enabling a driver to return 'home' at least every 4 weeks		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 20 day-fines at maximum a 25€

2. Groups of infringements against Regulation (EU) No 165/2014 of the European Parliament and of the Council (Tachograph) for Finland

National legislation for penalties related to infringements:

Further information regarding national legislation for penalties related, please send a request to address: kirjaamo.poliisihallitus@poliisi.fi

EU LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS				Type of penalty		
		MSI	VSI	SI	MI	Administrative	Financial	Criminal
Installation of tachograph								
Art. 3.1 and Art. 22.2	Not having type-approved tachograph installed and used (<i>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</i>)	X					day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 3.4 and 3.4a	Not having a smart tachograph version 2 installed and used by the specified deadlines		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
Use of tachograph, driver card or record sheet								
Art. 22.5	Removed or broken seal of tachograph not replaced by an approved fitter or workshop within 7 days or by a control officer at the control		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 23.1	Using a tachograph not inspected by an approved workshop		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 16 day-fines at maximum a 25€	

Art. 27	Driver holding and/or using more than one own driver card		X				day-fine system, dependent on the salary of the driver, 4 day-fines at minimum, 16 day-fines at maximum a 25€	
	Driving with a driver card that has been falsified (considered as driving without driver card)	X					day-fine system, dependent on the salary of the driver, 15 day-fines at minimum, 40 day-fines at maximum a 25€	
	Driving with a driver card of which the driver is not the holder (considered as driving without driver card)	X					day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
	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					day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 32.1	Tachograph not correctly functioning (e.g.: tachograph not properly inspected, calibrated and sealed)		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 14 day-fines at maximum a 25€	
Art. 32.1 and Art. 33.1	Tachograph improperly used (e.g.: deliberate, voluntary or imposed misuse, lack of instructions on correct use, etc.)		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 32.3	Using a fraudulent device able to modify the records of the tachograph	X					day-fine system, dependent on the salary of the driver, 15 day-fines at minimum, 40 day-fines at maximum a 25€	
	Falsifying, concealing, suppressing or destroying data recorded on the record sheets or stored and downloaded from the tachograph and/or the driver card	X					day-fine system, dependent on the salary of the driver, 15 day-fines at minimum, 40 day-fines at maximum a 25€	

Art. 33.2	Undertaking not keeping record sheets, printouts and downloaded data		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
	Recorded and stored data not available for at least a year		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
Art 34.1 and 34.6	Incorrect use of record sheets/driver card		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
	Unauthorised withdrawal of record sheets or driver card which has an impact on the record of relevant data		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
	Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 16 day-fines at maximum a 25€	
Art. 34.2	Use dirty or damaged record sheets or drivers card and data not legible		X				day-fine system, dependent on the salary of the driver, 6 day-fines at minimum, 14 day-fines at maximum a 25€	
Art. 34.3	Not using manual input when required to do so		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	
Art. 34.4	Not using correct record sheet or driver card not in the correct slot (multi-manning)			X			day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€	

Art. 34.5	Incorrect use of switch mechanism		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 34.6	Lacking records of symbols of countries where a driver started and finished the daily working period		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 34.7	Lacking records of symbols of countries whose borders a driver crossed during the daily working period		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€

Producing information

Art. 36	Refusing to be checked		X				day-fine system, dependent on the salary of the driver, 8 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 36	Unable to produce records of current day and the previous 56 days		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€
	Unable to produce records of the driver card if the driver holds one		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 36	Unable to produce manual records and printouts made during the current day and the previous 56 days		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€

Art. 36	Unable to produce a driver card, if the driver holds one		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€
Malfunctioning							
Art. 37.1 and Art. 22.1	Tachograph not repaired by an approved fitter or workshop		X				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€
Art. 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				day-fine system, dependent on the salary of the driver, 10 day-fines at minimum, 18 day-fines at maximum a 25€

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