

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 REPUBLIC OF CROATIA								
National legislation for penalties related to infringements against Regulation (EC) 561/2006:		https://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_75_1505.html						
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				
Driving periods								
Art. 6.1	Exceed daily driving time of 9h if possibilities to extend to 10h not allowed	9h < ... < 10h				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver
		10h ≤ ... < 11h			X			2.000,00 – 5.000,00 company 1.000,00 – 2.000,00 responsible person 500,00 – 1.500,00 driver
		11h ≤ ...		X				4.000,00–8.000,00company 1.500,00 – 3.000,00

								responsible person 1.000,00-2.000,00 driver	
	Exceed daily driving time of 9h by 50 % or more	$13h30 \leq \dots$	X					5.000,00-10.000,00 responsible person company 2.00,00-4.000,00 1.500,00-3.000,00 driver	
	Exceed extended daily driving time of 10h if extension allowed	$10h < \dots < 11h$				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$11h \leq \dots < 12h$			X		4.000,00-8.000,00company 1.500,00-3.000,00 responsible person 1.000,00.2.000,00 driver		
		$12h \leq \dots$		X					
	Exceed daily driving time of 10h by 50 % or more	$15h \leq \dots$	X					5.000,00-10.000,00 company 2.00,00-4.000,00 responsible person 1.500,00-3.000,00 driver	
Art. 6.2	Exceed weekly driving time	$56h < \dots < 60h$				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$60h \leq \dots < 65h$			X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver		
		$65h \leq \dots < 70h$		X			4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver		

	Exceed weekly driving time by 25 % or more	$70h \leq \dots$	X					5.000,00-10.000,00 company 2.00,00-4.000,00 responsible person 1.500,00-3.000,00 driver	
Art 6.3	Exceed maximum total driving time during 2 consecutive weeks	$90h < \dots < 100h$				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$100h \leq \dots < 105h$			X				
		$105h \leq \dots < 112h30$		X				5.000,00-10.000,00 company 2.00,00-4.000,00 responsible person 1.500,00-3.000,00 driver	
	Exceed maximum total driving time during 2 consecutive weeks by 25 % or more	$112h30 \leq \dots$	X						
Art. 6.5	Lacking records for “other work” and “periods of availability”				X				
Art. 12	Lacking indication of reasons for exceeding driving times in exceptional circumstances				X				
	Not taking a break of 30 minutes prior to additional driving of more than 1 hour and less than 2 hours				X				

	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			

Breaks

Art. 7	Exceed uninterrupted driving time of 4,5 hours before taking the break	4h30 < ... < 5h				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 300,00 – 700,00 driver
		5h ≤ ... < 6h			X			2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver
		6h ≤ ...		X				

Rest Periods

Art. 8.2	Insufficient daily rest period of less than 11h if reduced daily rest period not allowed	10h ≤ ... < 11h				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver
		8h30 ≤ ... < 10h			X			2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver
		... < 8h30		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible

								person 1.000,00-2.000,00 driver	
	Insufficient reduced daily rest period of less than 9h if reduce allowed	$8h \leq \dots < 9h$			X			2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$7h \leq \dots < 8h$			X			2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$\dots < 7h$		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
	Insufficient split daily rest period of less than 3h + 9h	$3h + [8h \leq \dots < 9h]$				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$3h + [7h \leq \dots < 8h]$			X				
		$3h + [\dots < 7h]$		X					
Art 8.5	Insufficient daily rest period of less than 9h for multi-manning	$8h \leq \dots < 9h$				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$7h \leq \dots < 8h$			X				
		$\dots < 7h$		X					
Art 8.6	Insufficient reduced weekly resting period of less than 24 h	$22h \leq \dots < 24h$				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person 300,00 – 700,00 driver	
		$20h \leq \dots < 22h$			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		2.000,00 - 4.000,00 company 500,00 – 1.000,00 responsible person	
		$36h \leq \dots < 42h$			X			300,00 – 700,00 driver	
		$\dots < 36h$		X					
Article 8.6	Exceeding 6 consecutive 24-hour periods following the previous weekly rest period	$\dots < 3h$				X		2.000,00 - 4.000,00 company 500,00 – 1.000,00 300,00 – 700,00 driver	
		$3h \leq \dots < 12h$			X				
		$12h \leq \dots$		X				2.000,00 – 5.000,00 company 1.000,00 – 2.000,00 responsible person 500,00 – 1.500,00 driver 4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
Art 8.6	Compensation for two consecutive reduced weekly rest periods not taken <i>en bloc</i> with the following weekly rest period					X			
	Less than two regular weekly rest periods in any four consecutive weeks					X			
Art. 9	Daily rest period interrupted more than twice by other activities or for a period of time exceeding one hour in total					X			
Art. 9	Weekly rest period interrupted more than twice by other activities or for a period					X			

	of time exceeding one hour in total			X				
Art. 9	Recording 'rest' for the time spent on ferry or train without having an access to a sleeper cabin, bunk or couchette			X				

12-day rule derogation

Art. 8.6a.	Exceeding 12 consecutive 24-hour periods following a previous regular weekly rest	... < 3h			X		2.000,00 - 4.000,00 company 500,00 - 1.000,00 responsible person 300,00 - 700,00 driver
		3h ≤ ... < 12h			X		2.000,00 - 5.000,00 company 1.000,00 - 2.000,00 responsible person 500,00 - 1.500,00 driver
		12h ≤ ...		X			4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver
Art. 8.6a. (b)(ii)	Weekly rest period taken following 12 consecutive 24-hour periods	65h < ... ≤ 67h			X		2.000,00 - 5.000,00 company 1.000,00 - 2.000,00 500,00 - 1.500,00 driver
		... ≤ 65h		X			4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver
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		2.000,00 - 5.000,00 company 1.000,00 - 2.000,00 500,00 - 1.500,00 driver
		4,5 h ≤ ...		X			2.000,00 - 5.000,00 company 1.000,00 - 2.000,00 responsible person 500,00 - 1.500,00 driver

Work organisation

Art. 10.1	Link between wage and distance travelled or amount of goods carried		X				5.000,00-15.000,00 company 5.000,00-15.000,00 responsible person 2.000,00 – 5.000,00 driver	
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				5.000,00-15.000,00 company 5.000,00-15.000,00 responsible person 2.000,00 – 5.000,00 driver	
Art. 8.8	Transport undertaking unable to prove the work organisation enabling a driver to return 'home' at least every 4 weeks		X					

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

National legislation for penalties related to infringements against Regulation (EU) 165/2014:

https://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_75_1505.html

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 (e.g.: not having a tachograph installed by fitters, workshops or vehicle manufacturers approved by the competent authorities of the Member States, using a tachograph without the necessary seals placed or replaced by an approved fitter, workshop or vehicle manufacturer or using a tachograph without the installation plaque)	X					5.000,00-10.000,00 company	
Art. 3.4 and 3.4a	Not having a smart tachograph version 2 installed and used by the specified deadlines		X					
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						
Art. 23.1	Using a tachograph not inspected by an approved workshop		X				4.000,00 – 8.000,00 company	
Art. 27	Driver holding and/or using more than one own driver card		X				15.000,00 – 40.000,00 company 4.000,00 – 8.000,00 responsible person 1.500,00 – 3.000,00 driver	

	Driving with a driver card that has been falsified (<i>considered as driving without driver card</i>)	X					15.000,00 – 40.000,00 company 4.000,00 – 8.000,00 responsible person 1.500,00 – 3.000,00 driver	
	Driving with a driver card of which the driver is not the holder (<i>considered as driving without driver card</i>)	X					15.000,00 – 40.000,00 company 4.000,00 – 8.000,00 responsible person 1.500,00 – 3.000,00 driver	
	Driving with a driver card which has been obtained on the basis of false declarations and/or forged documents (<i>considered as driving without driver card</i>)	X					15.000,00 – 40.000,00 company 4.000,00 – 8.000,00 responsible person 1.500,00 – 3.000,00 driver	
Art. 32.1	Tachograph not correctly functioning (<i>e.g.: tachograph not properly inspected, calibrated and sealed</i>)		X				4.000,00 – 8.000,00 company	
Art. 32.1 and Art. 33.1	Tachograph improperly used (<i>e.g.: deliberate, voluntary or imposed misuse, lack of instructions on correct use, etc.</i>)		X				4.000,00 – 8.000,00 company	
Art. 32.3	Using a fraudulent device able to modify the records of the tachograph	X					15.000,00 – 40.000,00 company 4.000,00 – 8.000,00 responsible person 1.500,00 – 3.000,00 driver	
	Falsifying, concealing, suppressing or destroying data	X					15.000,00 – 40.000,00 company	

	recorded on the record sheets or stored and downloaded from the tachograph and/or the driver card						4.000,00 – 8.000,00 responsible person 1.500,00 – 3.000,00 driver	
Art. 33.2	Undertaking not keeping record sheets, printouts and downloaded data		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
	Recorded and stored data not available for at least a year		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
Art 34.1 and 34.6	Incorrect use of record sheets/driver card		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
	Unauthorised withdrawal of record sheets or driver card which has an impact on the record of relevant data		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
	Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
Art. 34.2	Use dirty or damaged record sheets or drivers card and data not legible		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person 1.000,00-2.000,00 driver	
Art. 34.3	Not using manual input when required to do so		X				500,00 – 1.500,00 driver	
Art. 34.4	Not using correct record sheet or driver card not in the correct slot (multi-manning)			X			500,00 – 1.500,00 driver	
Art. 34.5	Incorrect use of switch mechanism		X				4.000,00-8.000,00 company 1.500,00-3.000,00 responsible person	

							1.000,00-2.000,00 driver	
Art. 34.6	Lacking records of symbols of countries where a driver started and finished the daily working period				X			
Art 34.7	Lacking records of symbols of countries whose borders a driver crossed during the daily working period				X			
Producing information								
Art. 36	Refusing to be checked		X				1.000,00-2.000,00 driver	
Art. 36	Unable to produce records of current day and the previous 56 days		X				1.000,00-2.000,00 driver	
	Unable to produce records of the driver card if the driver holds one		X				1.000,00-2.000,00 driver	
Art. 36	Unable to produce manual records and printouts made during the current day and the previous 56 days		X				1.000,00-2.000,00 driver	
Art. 36	Unable to produce a driver card, if the driver holds one		X				1.000,00-2.000,00 driver	
Malfunctioning								
Art. 37.1 and Art. 22.1	Tachograph not repaired by an approved fitter or workshop		X				4.00,00 - 8.000,00 company	
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				1.000,00-2.000,00 driver	

