

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 Lithuania

National legislation for penalties related to infringements against Regulation (EC) 561/2006:									
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		There is no specific penalty for this instance.	There is no specific penalty for this instance.	-	
Driving periods									
Art. 6.1	Exceed daily driving time of 9h if possibilities to extend to 10h not allowed	9h < ... < 10h				X	Fine	10-50 EUR	
		10h ≤ ... < 11h			X	Fine	50-90 EUR		
		11h ≤ ...		X		Fine	90-300 EUR		
	Exceed daily driving time of 9h by 50 % or more	13h30 ≤ ...	X				Fine	220-300 EUR	

	Exceed extended daily driving time of 10h if extension allowed	10h < ... < 11h				X	Fine	10-50 EUR	
		11h ≤ ... < 12h			X		Fine	50-90 EUR	
		12h ≤ ...		X			Fine	90-300 EUR	
	Exceed daily driving time of 10h by 50 % or more	15h ≤ ...	X				Fine	220-300 EUR	
Art. 6.2	Exceed weekly driving time	56h < ... < 60h				X	Fine	14-50 EUR	
		60h ≤ ... < 65h			X		Fine	50-140 EUR	
		65h ≤ ... < 70h		X			Fine	90-140 EUR	
	Exceed weekly driving time by 25 % or more	70h ≤ ...	X				Fine	90-140 EUR	
Art 6.3	Exceed maximum total driving time during 2 consecutive weeks	90h < ... < 100h				X	Fine	14-140 EUR	
		100h ≤ ... < 105h			X		Fine	90-140 EUR	
		105h ≤ ... < 112h30		X			Fine	90-140 EUR	
	Exceed maximum total driving time during 2 consecutive weeks by 25 % or more	112h30 ≤ ...	X				Fine	90-140 EUR	
Art. 6.5	Lacking records for “other work” and “periods of availability”		X				Fine	14-30 (160-350) EUR	
Art. 12	Lacking indication of reasons for exceeding driving times in exceptional circumstances					X	Fine	14-30 EUR	

	Not taking a break of 30 minutes prior to additional driving of more than 1 hour and less than 2 hours			X		Fine	14-30 EUR	
	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		Fine	14-30 EUR	

Breaks

Art. 7	Exceed uninterrupted driving time of 4,5 hours before taking the break	4h30 < ... < 5h			X	Fine	10-14 EUR	
		5h ≤ ... < 6h		X		Fine	30-90 EUR	
		6h ≤ ...	X			Fine	50-300 EUR	

Rest Periods

Art. 8.2	Insufficient daily rest period of less than 11h if reduced daily rest period not allowed	10h ≤ ... < 11h			X	Fine	14-30 EUR	
		8h30 ≤ ... < 10h		X		Fine	30-90 EUR	
		... < 8h30	X			Fine	50-300 EUR	
	Insufficient reduced daily rest period of less than 9h if reduce allowed	8h ≤ ... < 9h			X	Fine	14-30 EUR	
		7h ≤ ... < 8h		X		Fine	30-50 EUR	

		... < 7h		X			Fine	50-300 EUR	
	Insufficient split daily rest period of less than 3h + 9h	3h + [8h ≤ ... < 9h]				X	Fine	14-30 + 30-60 EUR	
		3h + [7h ≤ ... < 8h]			X			30-50 EUR	
		3h + [... < 7h]		X				50-300 EUR	
Art 8.5	Insufficient daily rest period of less than 9h for multi-manning	8h ≤ ... < 9h				X	Fine	14-30 EUR	
		7h ≤ ... < 8h			X			30-50 EUR	
		... < 7h		X				50-300 EUR	
Art 8.6	Insufficient reduced weekly resting period of less than 24 h	22h ≤ ... < 24h				X	Fine	14-50 EUR	
		20h ≤ ... < 22h			X			50-90 EUR	
		... < 20h		X				150-300 EUR	
Art 8.6	Insufficient weekly resting period of less than 45 h if reduced weekly resting period not allowed	42h ≤ ... < 45h				X	Fine	14-90 EUR	
		36h ≤ ... < 42h			X			50-300 EUR	
		... < 36h		X				200-300 EUR	
Article 8.6	Exceeding 6 consecutive 24-hour periods following the previous weekly rest period	... < 3h				X	Fine	14-30 EUR	
		3h ≤ ... < 12h			X				
		12h ≤ ...		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		Fine	14-30 EUR	
	Less than two regular weekly rest periods in any four consecutive weeks		X			Fine	14-30 EUR	
Art. 9	Daily rest period interrupted more than twice by other activities or for a period of time exceeding one hour in total			X		Fine	14-30 EUR	
Art. 9	Weekly rest period interrupted more than twice by other activities or for a period of time exceeding one hour in total			X		Fine	14-30 EUR	
Art. 9	Recording 'rest' for the time spent on ferry or train without having an access to a sleeper cabin, bunk or couchette			X		Fine	14-30 EUR	

12-day rule derogation

Art. 8.6a.	Exceeding 12 consecutive 24-hour periods following a previous regular weekly rest	... < 3h			X	Fine	14-30 EUR	
		3h ≤ ... < 12h			X	Fine	14-30 EUR	
		12h ≤ ...		X		Fine	14-30 EUR	
Art. 8.6a. (b)(ii)	Weekly rest period taken following 12 consecutive 24-hour periods	65h < ... ≤ 67h		X		Fine	14-30 EUR	
		... ≤ 65h		X		Fine	14-30 EUR	
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		Fine	14-30 EUR	
		4,5 h ≤ ...		X		Fine	14-30 EUR	

Work organisation

Art. 10.1	Link between wage and distance travelled or amount of goods carried		X			Fine		
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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			Fine	300-2000 EUR	
Art. 8.8	Transport undertaking unable to prove the work organisation enabling a driver to return 'home' at least every 4 weeks		X			Fine		

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

National legislation for penalties related to infringements against Regulation (EU) 165/2014:					All the penalties and sanctions are listed in Articles 454 of Code of Administrative Offenses of Lithuania: https://www.e-tar.lt/portal/lt/legalAct/4ebe66c0262311e5bf92d6af3f6a2e8b/asr			
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				Fine + Administrative decision go to workshop	Driver – 160-350 EUR Transport manager – 170-980 EUR	
Art. 3.4 and 3.4a	Not having a smart tachograph version 2 installed and used by the specified deadlines		X			Fine + Administrative decision go to workshop	Driver – 160-350 EUR Transport manager – 170-980 EUR	
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			Fine + Administrative decision go to workshop	Driver – 160-350 EUR Transport manager – 170-980 EUR	
Art. 23.1	Using a tachograph not inspected by an approved workshop		X			Fine + Administrative decision go to workshop	Driver – 160-350 EUR Transport manager – 170-980 EUR	

Art. 27	Driver holding and/or using more than one own driver card		X			Fine + Administrative decision to revoke a card	Driver – 40-60 EUR Transport manager – 80-160 EUR	
	Driving with a driver card that has been falsified (<i>considered as driving without driver card</i>)	X				Fine + Administrative decision to revoke a card and immobilise until valid card or driver with valid card will be provided	Driver – 160-350 EUR	Information would be forwarded to the Police regarding falsification of the documents.
	Driving with a driver card of which the driver is not the holder (<i>considered as driving without driver card</i>)	X				Fine + Administrative decision to revoke a card and immobilise until valid card or driver with valid card will be provided	Driver – 350-580 Transport manager – 640-1380	
	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				Fine	Driver – 160-350 EUR	Information would be forwarded to the Police regarding falsification of the documents (if the card is issued in Lithuania). Card can be withdrawn.
Art. 32.1	Tachograph not correctly functioning (<i>e.g.: tachograph not properly inspected, calibrated and sealed</i>)		X			Fine + Administrative decision to go to workshop	Driver – 160-350 EUR Transport manager – 170-980 EUR	
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			Fine	Driver – 160-350 EUR Transport manager – 170-980 EUR	

Art. 32.3	Using a fraudulent device able to modify the records of the tachograph	X				Fine + Administrative decision go to workshop	Driver – 350-580 EUR Transport manager – 860-1670 EUR	
	Falsifying, concealing, suppressing or destroying data recorded on the record sheets or stored and downloaded from the tachograph and/or the driver card	X				Fine	Driver – 350-580 EUR Transport manager – 640-1380 EUR	
Art. 33.2	Undertaking not keeping record sheets, printouts and downloaded data		X			Fine	Transport manager – 300-2000	
	Recorded and stored data not available for at least a year		X			Fine	Transport manager – 300-2000	
Art 34.1 and 34.6	Incorrect use of record sheets/driver card		X			Fine	Driver – 40-60 EUR Transport manager – 80-160 EUR	
	Unauthorised withdrawal of record sheets or driver card which has an impact on the record of relevant data		X			Fine	Driver – 40-60 EUR Transport manager – 80-160 EUR	
	Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X			Fine	Driver – 60-100 EUR	
Art. 34.2	Use dirty or damaged record sheets or drivers card and data not legible		X			Fine	Driver – 40-60 EUR Transport manager – 80-160 EUR	
Art. 34.3	Not using manual input when required to do so		X			Fine	Driver – 20-40 EUR	

Art. 34.4	Not using correct record sheet or driver card not in the correct slot (multi-manning)			X		Fine	Driver – 40-60 EUR Transport manager – 80-160 EUR	
Art. 34.5	Incorrect use of switch mechanism		X			Fine	Driver – 20-40 EUR	
Art. 34.6	Lacking records of symbols of countries where a driver started and finished the daily working period		X			Fine	Driver – 60-100	
Art. 34.7	Lacking records of symbols of countries whose borders a driver crossed during the daily working period		X			Fine	Driver – 40-60 EUR Transport manager – 80-160 EUR	

Producing information

Art. 36	Refusing to be checked		X			Fine	Driver – 60-780 (720-1170) EUR Transport manager – 390-1950 (1100-6000) EUR	
Art. 36	Unable to produce records of current day and the previous 56 days		X			Fine	Driver – 160-350 EUR	
	Unable to produce records of the driver card if the driver holds one		X			Fine	Driver – 160-350 EUR	
Art. 36	Unable to produce manual records and printouts made during the current day and the previous 56 days		X			Fine	Driver – 160-350 EUR	
Art. 36	Unable to produce a driver card, if the driver holds one		X			Fine	Driver – 160-350 EUR	

Malfunctioning

Art. 37.1 and Art. 22.1	Tachograph not repaired by an approved fitter or workshop		X			Fine + Administrative decision go to workshop	Driver – 160-350 EUR Transport manager – 170- 980 EUR	
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			Fine	Driver – 160-350 EUR	

[To the Top](#)