



Trace 2

Efficient and harmonised enforcement of Mobility Package 1

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**FOR THE
EUROPEAN COMMISSION**

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TRACE 2 Enforcement Guidance Document on Regulation (EU) No 165/2014 - Tachograph

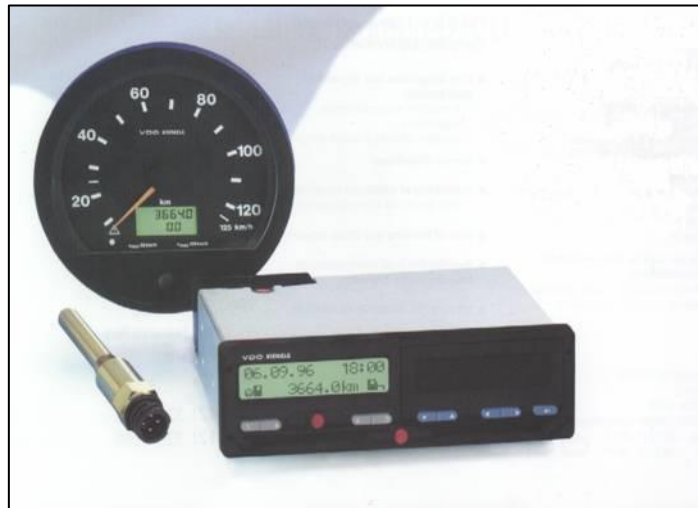


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Abbreviations and acronyms

DSRC	Dedicated Short Range Communication
ERRU	European Registers of Road Transport Undertakings
G1	Generation 1 Digital tachograph
G1V1	Generation 1 Version 1 (Digital Tachograph)
G1V2	Generation 1 Version 2 (Digital Tachograph)
G1V3	Generation 1 Version 3 (Digital Tachograph)
G2	Smart tachograph (Generation 2 of the digital tachograph)
G2V1	Smart tachograph Version 1 (or Generation 2 digital Tachograph Version 1) also referred to as Smart tachographs
G2V2	Smart tachograph Version 2 (or Generation 2 Digital Tachograph Version 2) also referred to as Smart tachographs
GNSS	Global Navigation Satellite System
OSNMA	Galileo Open Service Navigation Message Authentication
REDCR	Remote Early Detection Communication Reader
RTM	Remote Tachograph Monitoring
VU	Vehicle Unit

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1. Introduction

This document is produced within the framework of TRACE 2. The objective of TRACE 2 is to identify and explain changes brought by the *Mobility package 1* (MP1), with a focus on changes affecting the work done by control officers during roadside and company inspections. Accordingly, this document identifies and explains the main new technical features of the Generation 2 digital tachograph version 2 ('smart tachograph' version 2 or G2V2) introduced by MP1 as well as presents the key features of the smart tachograph version 1 (G2V1). Given the time limits set by TRACE 2, this document is intended to be a working document that will be used by CORTE beyond the timeframe of TRACE 2.

Similar documents have been produced for guidance on changes brought by MP1 to driving and rest time rules, access to market and profession, and enforcement of the posting of drivers.

2. Evolution of technology and terminology

This table presents a summary of the evolution of the technology presenting the dates by which specific tachographs need to be fitted in newly registered vehicles, as well as retrofitted in vehicles engaged in international transport operations already equipped with previous generations / versions.

As presented in the table below, there are two generations of the digital tachograph:

- Generation 1 (G1), and
- Generation 2 (G2).

G1 of the digital tachograph has three versions (G1V1, G1V2, G1V3).

G2 of the digital tachograph, also referred to as the ‘smart tachograph’, has 2 versions:

- G2V1, or smart tachograph version 1
- G2V2, or smart tachograph version 2.

The G2V2 was introduced by the Mobility package 1.

Format	Version	Legal basis (Regulation Number)	Technical specifications (Regulation Number)	First mandatory installations *	Retrofit with G2V2**
ANALOGUE	-	3821/1985	3821/1985 (Annex 1)	1986	31/12/2024
DIGITAL Generation 1	1	3821/1985	1360/2002	01/05/2006	31/12/2024
	2	3821/1985	1266/2009	01/10/2011	31/12/2024
	3	3821/1985	1266/2009	01/10/2012	31/12/2024
SMART (or DIGITAL Generation 2)	1	165/2014	2016/799	15/06/2019	18/08/2025***
	2	165/2014	2021/1228	21/08/2023	-

*To be installed, as from these dates, in all newly registered vehicles falling into scope of driving and resting times rules (Regulation (EC) No 561/2006).

**For vehicles engaged in international transport, G2V2 tachographs need to be installed in vehicles fitted with previous versions.

*** Or according to requirement MIG_023a in (EU) 2016/799: “With effect from the introduction date, malfunctioning version 1 of second-generation vehicle units or external GNSS facilities shall be replaced with version 2 of second-generation vehicle units or external GNSS facilities”.

Table 1 - Summary of the tachograph evolution

As of 1 July 2026, light commercial vehicles (LCVs, more than 2.5 tonnes) engaged in international transport operations will also be required to be equipped with a smart tachograph version 2 (G2V2). This will apply to all LCVs engaged in international transport, regardless of their registration date.

The enforcer can confirm the generation and version of the tachograph in the printout and/or download the technical details of the tachograph and/or respective VU manufacturer label.

3. New technical features introduced in the version 1 and 2 of the Smart Tachographs (G2V1 and G2V2)

SMART tachograph (Digital tachograph Generation 2)	New features
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Version 1

GNSS module	Recording of the location of the vehicle (see Table 5 below)
GNSS signal as a second source for vehicle motion detection	<ul style="list-style-type: none"> - Enclosed in a secure box. - Signal secured between GNSS receiver and VU (for external GNSS receiver).
DSRC for control officers	<p>DSRC stands for “Dedicated Short-Range Communication”. It is a wireless communication technology operating on the band of radio frequency and effective over short to medium distances. The DSRC module can be inside the vehicle unit (an antenna is then installed behind the windscreen / inside the dashboard) or external (in which case the module is installed behind the windscreen). The tachograph will send TRUE or FALSE indicators for specific and limited data events (Remote Tachograph Monitoring / RTM data): the tachograph transmits events happening within the last 10 days of occurrence. To receive and read these indicators, enforcers need to be equipped with a Remote Early Detection Communication Reader (REDCR).</p> <p>It is important to state that the DSRC is a preselection tool meant to help enforcers to filter vehicles and decide whether a vehicle needs to be further checked, which improves the efficiency of the enforcement. The information sent through the DSRC would, for this purpose, need to be checked during a subsequent roadside inspection.</p> <p><i>Enforcers need:</i></p> <ul style="list-style-type: none"> • a REDCR (Remote Early Detection Communication Reader) equipment at the enforcement side; • a software in the REDCR to interpret and display the information from the tachograph; • a control card to verify / decrypt received RTM data. <p><i>Dates for implementation of DSRC equipment:</i></p> <ul style="list-style-type: none"> • In smart tachographs as of 15 June 2019; • Enforcement authorities must be equipped with REDCR by 18 August 2024 (enforcers must insert a G2 control card in order to use the DSRC and to decode the data).

	Categories of RTM (Remote Tachograph Monitoring) data transmitted to enforcers equipment as described in the Table 3 of this document.
Transmission via DSRC	<p>The tachograph will send TRUE / FALSE or other specified values for the events.</p> <p>The tachograph transmits events happening within the last 10 days of occurrence.</p>
New cryptography	There is big evolution in cryptography to increase the security of the device. However, backwards compatibility has been guaranteed. The smart tachograph (G2) has been designed with specific attention to be fully backward compliant with the generation 1 digital tachographs. Generation 1 and generation 2 cards and vehicle units can be mixed. With the only restriction, that a generation 1 workshop card cannot calibrate a generation 2 tachograph. But a generation 2 workshop card can calibrate both generation 1 and generation 2 tachographs. Given that the validity period of G1 workshop cards is one year, only G2 workshop cards should now be used in workshops throughout the EU.
Enhanced seal	See <i>chapter 0</i> .
Other changes	<ul style="list-style-type: none"> • The format of the files to be downloaded from the tachograph has been changed. • Storage of the vehicle position (see tables under chapter 0). • Old tachograph card will be classified as 'non-valid' once a newer card of the same user was inserted into the same tachograph.

Version 2

GNSS signal as a second source for vehicle motion detection	Authentication of the satellite signal by OSNMA.
Border crossing detection	See Table 5 and Table 6 below.
Recording of the vehicle position when load/unload of goods takes place	<p>The automatic recording of the location of the loading/unloading operation is triggered by the driver, who needs to indicate a load and/ or unload operation for the recording of location to happen. This operation can be manually entered through the tachograph menu (it is also possible to enter it via a blue tooth device: see the blue tooth specifications described below and here: https://www.corte.be/corte-topics/5-tachograph).</p> <p>Recording activities are an important part of a driver's work, and a full set of records is important for ensuring that controls are cost-effective and not excessively burdensome.</p> <p>It is therefore crucial that drivers are appropriately instructed to use all functionalities of smart tachographs, in order to ensure the existence of a full set of records and to avoid lengthy controls, in particular at the roadside. Additionally, the information about the date, time and the odometer value are also recorded and can be evaluated by a printout or data download.</p>

<p>Enforcement of driving times and rest periods from 28 to 56 days</p>	<p>From 31 December 2024, the period will change from 28 to 56 days. The downloading period for driver cards for companies remains: 28 days.</p>
<p>Recording of the type of load (goods/passengers)</p>	<p>At calibration the workshop is responsible for declaring if the vehicle is used for the transport of passenger or goods. This load-type information will be recorded on the driver card upon insertion.</p>
<p>Transmission via DSRC of maximum driving time being exceeded</p>	<p>The version 2 of the smart tachograph (G2V2) will communicate, through the DSRC, more data than the version 1 (G2V1), including driving & resting times data (see Table 3), which should be seen as an indication and need further evaluation by an enforcer.</p> <p>On top of what the Remote Tachograph Monitoring data transmitted by the version 1 of the smart tachograph, the version 2 will also transmit data on Driving times.</p> <p>To harmonize what will be transmitted in terms of driving & resting times, and because this requires computation / calculation rules, the technical specifications foresaw computational / calculation rules for the driving & resting times communicated through the DSRC.</p>
<p>Transmission via DSRC</p>	<p>The tachograph will send TRUE or FALSE for the events.</p> <p>The infringement is transmitted when it has been recorded by the tachograph within the last 10 days or is ongoing.</p>
<p>Mandatory ITS interface - Bluetooth</p>	<p>The version 2 of the smart tachograph presents a standardized interface with intelligent transport systems (ITS) allowing the data recorded or produced by a tachograph to be used in operational mode, by an external device. Such external devices can obtain data from the tachograph via Bluetooth. To harmonize certain technical specifications related to the use of Bluetooth, a group of experts composed of representatives from tachograph, card, and vehicle manufacturers agreed to meet in a dedicated and neutral working group hosted by the Confederation of Organisations in Road Transport Enforcement (CORTE). In addition, a specification of a driver entries via Bluetooth has been agreed and published.</p> <p>These specifications are available on the CORTE and JRC websites: https://www.corte.be/corte-topics/5-tachograph https://dtc.jrc.ec.europa.eu/dtc_smart_tachograph.php.html</p>
<p>OSNMA (Open Service for Navigation Message Authentication)</p>	<p>Europe's Galileo satellite navigation system provides protected signal, which is capable to provide authenticated position and time data.</p> <p>Due to the unavailability of the operational version of the OSNMA by August 2023, transitional measures are to be put into place, where initial smart tachographs version 2 (G2V2) will function without OSNMA. Those tachographs will have the capacity to upgrade at a later stage – through a visit to the workshop – to authenticate OSNMA signal.</p>

Other changes	The format of the files to be downloaded from the tachograph has been changed.
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Table 2 - Summary of the technical features of the smart tachograph

4. Remote Tachograph Monitoring (RTM) data

RTMs communicated by the DSRC in Smart Tachographs		
Version 1		
RTM 1	Vehicle Registration Plate	String of characters
RTM 2	Speeding event	TRUE / FALSE
RTM 3	Driving without valid card	TRUE / FALSE
RTM 4	Valid driver card	TRUE / FALSE
RTM 5	Card insertion while driving	TRUE / FALSE
RTM 6	Motion data error	TRUE / FALSE
RTM 7	Vehicle motion conflict	TRUE / FALSE
RTM 8	2nd driver card	TRUE / FALSE
RTM 9	Current activity	TRUE / FALSE
RTM 10	Last session closed	TRUE / FALSE
RTM 11	Power supply interruption	Number of the recorded power supply interruption events within the last 10 days
RTM 12	Sensor fault	Sensor fault one octet as per data dictionary
RTM 13	Time adjustment	Value of the most recent time adjustment
RTM 14	Security breach attempt	Beginning time of the latest stored security breach attempt event
RTM 15	Last calibration	Value of the most recent calibration record
RTM 16	Previous calibration	Value of the calibration record preceding the most recent calibration record.
RTM 17	Date tachograph connected	Date of first calibration of the VU in the current vehicle
RTM 18	Current speed	Last current recorded speed in km/h.
RTM 19	Timestamp	Date and time
Version 2		
RTM 20	Time at which the latest authenticated vehicle position was available	Date and time
RTM 21	Continuous driving time	Time value
RTM 22	Longest daily driving time for the ongoing and previous RTM-shift, calculated in accordance with the Addendum to Appendix 14	Time value
RTM 23	Longest daily driving time within the ongoing week, calculated in accordance with the Addendum to Appendix 14	Time value
RTM 24	Weekly driving time, calculated in accordance with the Addendum in Appendix 14	Time value
RTM 25	Fortnightly driving time, calculated in accordance with the addendum in Appendix 14	Time value

Table 3: Summary of the data send over DSRC interface described in Appendix 14, Implementing Regulation (EU) 2016/799

5. Recording of locations

5.1 Recording of location at start & end of the daily working period

Instrument	Obligation from	How (manual)
Analogue tachograph	20 August 2020 Point (f) of Article 34(6) of Regulation (EU) No 165/2014	Driver to record the places & symbols of the countries in which the daily working period started & finished.
Digital tachograph Generation 1	1 May 2006 Regulation (EEC) 3821/85 Article 15 para 5 a & Article 34(7) of Regulation (EU) No 165/2014	Driver enters, in the digital tachograph, the symbols of the countries in which the daily working period started and finished.
Smart Tachograph version 1 (G2V1)	15 June 2019 Article 34(7) of Regulation (EU) No 165/2014	Recording of location is triggered by the driver using the start & end of daily working period symbols.
Smart Tachograph version 2 (G2V2)	21 August 2023 Last subparagraph of Article 8(1) of Regulation (EU) No 165/2014 in combination with Article 2 of Commission Implementing Regulation (EU) 2021/1228	At card insertion, the tachograph will propose a location to the driver, based on the available GNSS data, asking for confirmation: it is a legal requirement for version 2 tachographs to always show the GNSS based current country as the first option to select. Otherwise, start and end locations will be registered in the exact same way as for previous generation / versions.

Table 4 - Summary of recording of location at start & end of the daily working periods

5.2 Recording of locations made by Smart Tachographs

Recording of positions	Description	G2V1	G2V2
Every 3 hours of accumulated driving time of the vehicle	Automatic recording when three hours of accumulated driving has been reached in the tachograph. The time relates to the vehicle and not the driving time of the driver.	X	X
	Manual recording: this obligation exists since 2006 and this can be achieved only through manual entry.		

Recording of positions	Description	G2V1	G2V2
Start & end of activities	<p>However, the technical specifications of the version 2 foresee a function by which, at card insertion and withdrawal, the tachograph will propose a location (based on the current GNSS position), which the driver will be invited to confirm. If the driver chooses not to confirm this position, the recording of the GNSS position is triggered by the driver indicating start & end of daily working period (during manual entries or via menus).</p>	X	X
At border crossing	<p>Automatic recording.</p> <p>Data recorded: position, time, country of origin and country of destination, date, time and odometer value.</p> <p>Data recorded during a border crossing are:</p> <ol style="list-style-type: none"> 1. the country that the vehicle is leaving. 2. the country that the vehicle is entering. 3. the position where the vehicle has crossed the border. 4. the related GNSS accuracy, date and time 5. a flag indicating whether the position has been authenticated. 6. the vehicle odometer value at the time of border crossing detection <p>Border-crossing will be stored in both the vehicle unit and the card as from G2V2.</p>	-	X
Operations of load & unload carried out	<p>The recording of the location is automatic upon the manual indication by the driver that a loading and/ or unloading operation is taking place.</p> <p>The pictogram indicating such an operation is combined with the activity of the driver at the time (e.g. rest, other work, availability, etc.). The operation can be manually entered through the tachograph menu:</p> <ul style="list-style-type: none"> • three possibilities (load/unload or simultaneous load-unload). • GNSS position, date, time, and odometer value shall be stored together with the operation type. 	-	X

Table 5: Summary of locations made by the smart tachograph.

5.3 Recording of location at border crossing

Instrument	Obligation from	How
Analogue Tachograph	20 August 2020 Absence of reference in point (f) of Article 34(6) of Regulation (EU) No 165/2014	Manual recording (on the front of the chart) of the symbol of the country that has been entered, by the driver. The driver must stop at the nearest possible stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver must indicate the symbol of the country at the port or station of arrival. See Annex 1 (DG MOVE Guidance note 10).
Digital Tachograph Generation 1	2 February 2022 Article 34(7) of Regulation (EU) No- 165/2014	Manual use of the start of daily work period function by the driver: the symbol of the country and, if applicable, the region that the driver enters after crossing a border to be entered as a place where the daily work period begins. The driver must stop at the nearest possible stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver must enter the symbol of the country at the port or station of arrival.
Smart Tachograph version 1	2 February 2022 Article 34(7) of Regulation (EU) No 165/2014	Manual: idem.
Smart Tachograph version 2	21 August 2023 Article 34(7) of Regulation (EU) No 165/2014	Automatic recording of border crossing. Automatic detection of when the vehicle has crossed the border of a country and indication of which country has been left and which country has been entered.

Table 6: Summary of the recordings of location at border crossing

For recording border crossing in analogue tachographs, see the European Commission Guidance Note 10 on border crossing records in analogue tachographs – **Annex 1 below**.

More information concerning the temporary obligation to manually record border crossings at or the first stopping place after the border can be found on the Commission’s website in all EU languages. The links can be found on the CORTE TRACE 2 website.

6. Seals

6.1 Obligations

Tachograph components must be sealed as specified in the type-approval certificate. Any connections to the tachograph which are potentially vulnerable to tampering, including the connection between the motion sensor and the gearbox, and the installation plaque where relevant, must also be sealed.

6.1.1 Smart tachographs

For smart tachographs (i.e. Digital Tachographs Generation 2) a new seal (according to standard *EN 16882*) is available on the market and it is now mandatory to use these seals.

Independently certified *EN 16882* seals will be recognised by a “T-logo” placed on them.

Prior to this, self-certified seals were used and the deadline for the installation of self-certified seals in smart tachographs was 28 February 2022. After this “expiry date”, only *EN 16882* independently certified seals can be placed in vehicles.

Consequences for workshops: obligation to place the new seal on smart tachographs after the “expiry date” deadline provided above.

Consequences for enforcers: since seals are replaced at least every two years:

- If the last periodic inspection took place before the expiry date above: self-certified seals can still be found.
- If the last periodic inspection took place after the expiry date above: only *EN 16882* certified seals can be found.
- Two years after the deadline provided on the JRC website above, all smart tachograph seals need to be certified according to *EN 16882*.
- The list of accredited laboratories and certified seal manufacturers are also available on the JRC website. The JRC no longer accepts self-certification of seals. As soon as other self-certified seal manufacturers notify the JRC of independent certification, the JRC updates its website:
https://dtc.jrc.ec.europa.eu/dtc_seal_manufacturer_code.php.html.

6.1.2 For analogue and Generation 1 digital tachographs

For workshops: no obligation to place *EN 16882* seals.

For enforcers: no obligation to find *EN 16882* seals.

6.2 Removal or breakage of a seal by a control officer

Article 22 (5) of Regulation (EU) 165/2014 explicitly foresees that control officers can remove or break a seal for control purposes (in case of suspicion of tachograph manipulation). When this happens:

- the control officer may replace the seal with sealing equipment and a unique special mark without undue delay;

- the control card shall be inserted in the tachograph from the moment of the removal of the seal until the inspection is finished, including in the case of the placement of a new seal;
- the control officer shall issue a written statement containing at the information listed in Article 22 (5) of Regulation (EU) 165/2014.

For removal or breakage of seal by a control officer a reference should be made to European Commission’s Guidance Note 9 on a standard form for the written statement on the removal or breakage of a tachograph seal by a control officer. **See Annex 2 below.**

7. Infringements

The table below is an Annex to the Directive 2006/22/EC and provides an overview of the different infringements under Regulation (EU) No 165/2014, and their level of seriousness.

Legend: MSI – Most Serious Infringement, VSI: Very Serious Infringement, SI: Serious Infringement, MI: Minor Infringement.

It is important to take note of the judgment of the European Court of Justice in C-0906/19 where the Court decided that Article 19 (2) of Regulation No 561/2006 must be interpreted as precluding the competent authorities of a Member State from imposing a penalty on the driver of a vehicle or on a transport undertaking for an infringement of Regulation No 3821/85, as amended by Regulation No 561/2006, committed on the territory of another Member State or of a non-member country, but detected on its territory and not already sanctioned.

In other words, a Member State cannot impose a sanction for an infringement committed against the rules regulating the tachograph if this infringement has been committed in another Member State. The principle of extra-territoriality foreseen in Article 19 paragraph 2 of Regulation No 561/2006 only applies to infringements to Regulation No 561/2006 and does not apply to the rules regulating the use of the tachograph: a control officer can impose a sanction for an infringement to driving and resting times’ rules committed in another Member State but the control officer cannot impose a sanction for an infringement to tachograph rules committed in another Member State. However, the host Member State (where the infringement to the tachograph rules has been detected but not committed) should inform the Member State of establishment of the detected infringement, by use for example of the European Registers of Road Transport Undertakings (ERRU), for the infringement to be sanctioned properly.

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS			
			MSI	VSI	SI	MI
G		Installation of tachograph				

G1	Article 3.1 and Article 22.2	Not having type-approved tachograph installed and used (e.g.: not having a tachograph installed by fitters, workshops or vehicle manufacturers approved by the competent authorities of the Member States, using a tachograph without the necessary seals placed or replaced by an approved fitter, workshop or vehicle manufacturer or using a tachograph without the installation plaque)	X			
H	Use of tachograph, driver card or record sheet					
H1	Article 23.1	Using a tachograph not inspected by an approved workshop		X		
H2		Driver holding and/or using more than one own driver card		X		
H3	Article 27	Driving with a driver card that has been falsified (considered as driving without driver card)	X			
H4		Driving with a driver card of which the driver is not the holder (considered as driving without driver card)	X			
H5		Driving with a driver card which has been obtained on the basis of false declarations and/or forged documents (considered as driving without driver card)	X			
H6	Article 32.1	Tachograph not correctly functioning (e.g.: tachograph not properly inspected, calibrated and sealed)		X		
H7	Article 32.1 and Article 33.1	Tachograph improperly used (e.g.: deliberate, voluntary or imposed misuse, lack of instructions on correct use, etc.)		X		
H8		Using a fraudulent device able to modify the records of the tachograph	X			
	Article 32.3					

H9		Falsifying, concealing, suppressing or destroying data recorded on the record sheets or stored and downloaded from the tachograph and/or the driver card	X			
H10	Article 33.2	Undertaking not keeping record sheets, printouts and downloaded data		X		
H11		Recorded and stored data not available for at least a year		X		
H12		Incorrect use of record sheets/driver card		X		
H13	Art 34.1	Unauthorised withdrawal of record sheets or driver card which has an impact on the record of relevant data		X		
H14		Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X		
H15	Article 34.2	Use dirty or damaged record sheets or drivers card and data not legible		X		
H16	Article 34.3	Not using manual input when required to do so		X		
H17	Article 34.4	Not using correct record sheet or driver card not in the correct slot (multi-manning)			X	
H18	Article 34.5	Incorrect use of switch mechanism		X		
I	Producing information					
I1	Article 36	Refusing to be checked		X		
I2	Article 36	Unable to produce records of current day and the previous 28 days		X		

I3		Unable to produce records of the driver card if the driver holds one		X		
I4	Article 36	Unable to produce manual records and printouts made during the current day and the previous 28 days		X		
I5	Article 36	Unable to produce a driver card, if the driver holds one		X		
J	Malfunctioning					
J1	Article 37.1 and Article 22.1	Tachograph not repaired by an approved fitter or workshop		X		
J2	Article 37.2	Driver not marking all required information for the periods of time, which are no longer recorded while tachograph is unserviceable or malfunctioning		X		

Table 7: Groups of infringements against Regulation (EU) No 165/2014 of the European Parliament and the Council

Annex 1 – European Commission Guidance note 10 on border crossing records in analogue tachographs.

Issue: Manual inclusion of border crossing information in an analogue tachograph.

Legal basis: Article 34(6), paragraph (f) of Regulation (EU) No 165/2014¹.

Approach to be followed: Article 34(6) paragraph (f) of Regulation (EU) No 165/2014 as amended by Regulation (EU) No 2020/1054² sets out the new obligation for the driver of a vehicle fitted with an analogue tachograph to manually enter in the record sheet of the tachograph the symbol of the country that the driver enters after crossing the border of a Member State. The symbol must be written at the beginning of the driver's first stop in that Member State (which must be made at the nearest possible stopping place at or after the border), or, when the crossing of the border takes place on a ferry or train, at the port or station of arrival.

Due to the reduced space that remains available on the record sheet after the automatic records on driver's activity and vehicle speed have been made, the addition of handwritten information by the driver in a way that can be clearly read and understood may be a difficult task. Moreover, adding information manually in certain places of the record sheet may lead to its damage.

The purpose of this guidance note is therefore to indicate where exactly in the record sheet the country symbol should be added, in order to ensure a common approach to implementing the obligation of recording border crossing in analogue tachographs and to prevent a possible damage of the record sheet. Annexes A, B and C of this guidance refer to the manual entries of border crossings in cases of analogue tachographs, whereas Annex D recalls the nation codes³ to be used as country symbols.

Option 1: under the inner time dial of the record sheet.

Whenever possible, the country symbol should be written under the inner time dial of the record sheet, just underneath the time at which the vehicle was stopped after crossing the border or arrived at the port or station when the crossing of the border takes place on a ferry or train (*see Annex A, Figure 1*). Where a reference line marks the opening of the hatchet of the tachograph by the driver for the purpose of inserting this manual entry, the country code should therefore be placed under this reference line (*see Annex A, Figure 2*). This solution allows to minimise the space taken by the border crossing information, since the time of the border crossing is already provided in the time dial. In addition, given that the record sheet features a standard place for displaying the date, it is not necessary either that the driver writes the date of the border crossing.

¹ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport Text with EEA relevance (OJ L 60, 28.2.2014, p. 1).

² 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).

³ As set out by the Joint Research Centre: [Digital Tachograph Nation Codes \(europa.eu\)](https://ec.europa.eu/jrc/en/digital-tachograph-nation-codes)

Annex A provides a clear example of how border crossings should be entered in the record sheet in this case.

Option 2 (if option 1 is not possible): between the inner and outer time dials of the record sheet.

Only if the space provided in the area described in Option 1 is not sufficient or unavailable for a manual entry of the border crossing, the manual entry should be inserted between the inner and outer time dials of the disc. The precise location should be to the left of the reference line or the area corresponding to where a reference line may have been recorded (if no reference line is recorded), without damaging the existing or future recording.

Annex B provides a visualisation of the acceptable area where border crossings should be entered manually in this case.

Option 3 (if options 1 & 2 are not possible): on the rear side of the analogue disc.

Only as a last resort, if the space available is not sufficient on the front side of the disc for a manual entry, the manual inscription should be included on the back of the disc, and should also include the time of border crossing. The time of the border crossing should be written in 24-hour format (ie. “20:30” for “8:30 pm”), and should therefore aim to make clear whether the crossing occurred in the morning or in the afternoon/evening.

Annex C provides a visualisation of a manual entry in such a case.

This guidance note is intended to assist drivers, undertakings and authorities in the application of Regulation (EU) No 165/2014. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law.

Annex A – Manual entry of border crossing in Option 1

Figure 1 – Border crossings with the codes “B” (Belgium) and “D” (Germany) handwritten in the suitable area of the record sheet

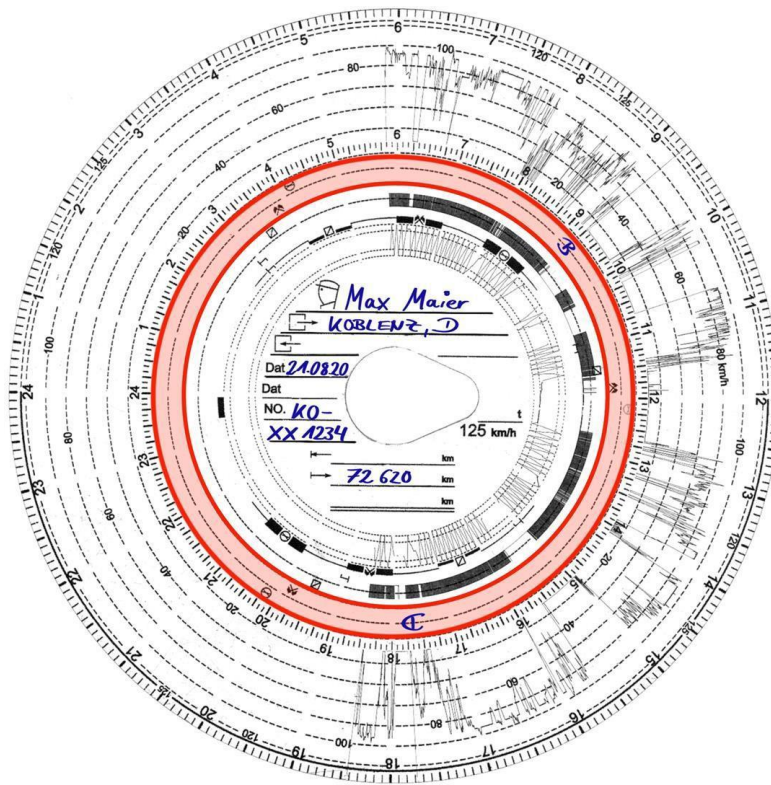
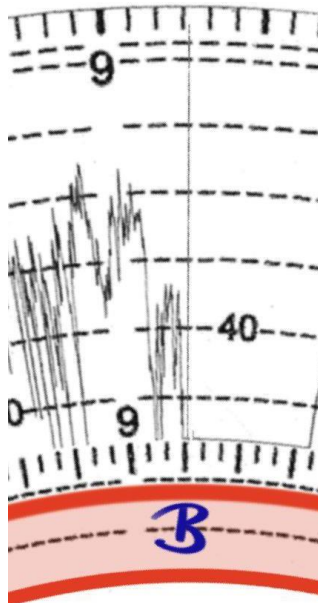
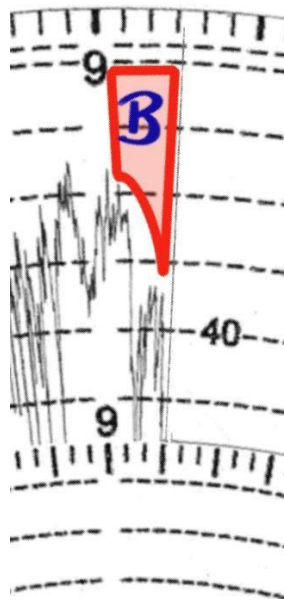


Figure 2 – Detail of the manual record

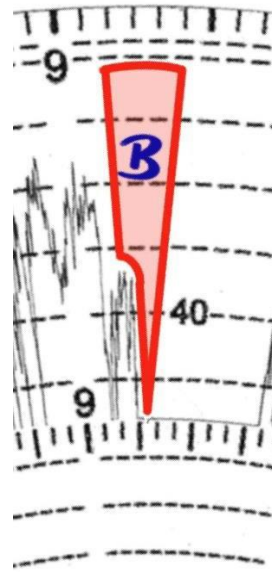


Annex B – Manual entry of border crossing in Option 2

Figure 3 – Suitable additional area of the record sheet to place the manual entry



With a reference line

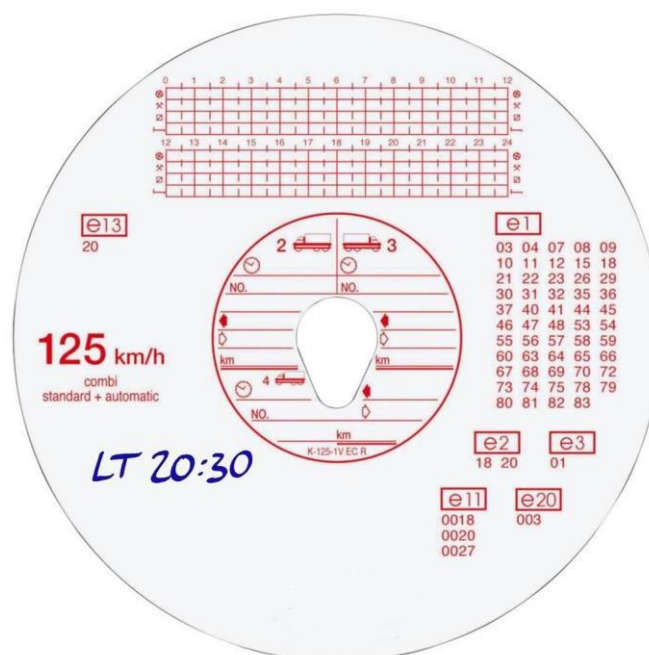


Without a reference line

The entry should be placed to the left of the reference line (where available) without damaging existing and future recording.

Annex C – Manual entry of border crossing in Option 3

Figure 4 – Example of manual entry on the rear side of the record sheet



Annex D – Table of nation codes to be used for the manual entry on the analogue tachograph

Note: a manual entry of border crossing is only required for the entrance into EU Member States.

Country	Nation Alpha Code	Country	Nation Alpha Code
Albania	AL	Malta	M
Andorra	AND	Moldova	MD
Armenia	ARM	Monaco	MC
Austria	A	Montenegro	MNE
Azerbaijan	AZ	Netherlands	NL
Belarus	BY	North Macedonia	MK
Belgium	B	Norway	N
Bosnia Herzegovina	BIH	Poland	PL
Bulgaria	BG	Portugal	P
Croatia	HR	Romania	RO
Cyprus	CY	Russia	RUS
Czech Republic	CZ	San Marino	RSM
Denmark	DK	Serbia	SRB
Estonia	EST	Slovakia	SK
Faroe Islands	FO	Slovenia	SLO
Finland	FIN	Spain	E
France	F	Sweden	S
Georgia	GE	Switzerland	CH
Germany	D	Tajikistan	TJ
Greece	GR	Turkey	TR
Hungary	H	Turkmenistan	TM
Iceland	IS	Ukraine	UA
Ireland	IRL	United Kingdom	UK
Italy	I	Uzbekistan	UZ
Kazakhstan	KZ	Vatican City	V
Latvia	LV	Reserved for Future Use	RFU
Liechtenstein	FL	European Community	EC
Lithuania	LT	Rest of Europe	EUR
Luxembourg	L	Rest of the World	WLD

Annex 2 – European Commission Guidance note 9 on a standard form for the written statement on the removal or breakage of a tachograph seal by a control officer.

Issue: harmonisation of the written statement relating to the removal or breakage of a tachograph seal by a control officer, according to the fourth subparagraph of Article 22 (5) of Regulation (EU) 165/2014¹.

Legal basis: fourth subparagraph of Article 22(5) of Regulation (EU) No 165/2014.

Article 22(5) of Regulation (EU) No 165/2014 sets out specific conditions under which a seal may be removed or broken.

If the conditions laid down in the first indent of the second subparagraph and in the fourth subparagraph of Article 22(5) are met and an operation to remove or break the seal for control purposes takes place, a written statement must be issued by the control officer conducting the operation. Such written statement must contain minimum information which is set out by the said fourth subparagraph. The present note proposes a standard form of such a written statement, which may be used in a harmonised way across the Union should all Member State control authorities decide so.

Approach to be followed: The information for the written statement laid down in the fourth subparagraph of Article 22(5) is provided in Annex 1.

Information marked with the symbol (*) is mandatory, as laid out in the fourth subparagraph of Article 22(5) of Regulation (EU) 165/2014. Other information set out in Annex 1 is not mandatory but may be deemed useful depending on the specific seal operation to be carried out by the control authorities.

Annex 2 provides a template of a standard form which can be used and issued by enforcement authorities during their checks, which is consistent with Annex 1. It is recommended that control officers use this standard form during their operations. It is recommended that the driver keeps the original copy of this document on board the vehicle and that the authority conducting the operation keeps a copy. The rear side of the standard form contains information relating to seals which can be of help to control authorities when checking the compliance of seals found in vehicles.

This guidance note is intended to assist drivers, undertakings and authorities in the application of Regulation (EU) No 165/2014. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law.

¹ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport Text with EEA relevance (OJ L 60, 28.2.2014, p. 1).

ANNEX 1

Suggested information for the written statement as laid down in Article 22(5), fourth subparagraph of Regulation (EU) No 165/2014

1. (*) **Member state of the control authority**
2. (*) **Name of the control authority**
3. (*) **Name of the control officer**
4. (*) **Number of the control card**
5. (*) **Date and time of seal removal or breakage**

6. **Location of the seal removal or breakage (e.g. checkpoint, direction)**
7. (*) **Vehicle Identification Number (VIN)**
8. **Vehicle Registration Number (VRN)**
9. (*) **Number of the removed or broken seal: *MMNNNNNNNN***
- a. **If applicable, Special mark on the removed or broken seal**
 10. (*) **If applicable, number of the new seal placed: *MMNNNNNNNN***
 - a. **If applicable, special mark on the new seal (placed by the control officer)**
11. **Date of last valid calibration**
12. **Other remarks**

13. **Driver of the vehicle at the time of control**
14. **Driver signature**
15. **Officer signature (and stamp if available)**

ANNEX 2 – Possible standard form for enforcement authorities

logo control authority

1) Member state of the control authority*:
2) Name of the control authority*:
3) Name of the control officer*:
4) Number of the control card*:
5) Date and time of seal removal or breakage*:

Written statement on the removal or breakage of a tachograph seal by a control officer

6) Location of the seal removal or breakage (e.g. checkpoint / Direction):	
7) VIN (Vehicle Identification Number)*:	
8) VRN (Vehicle Registration Number):	
9) Number of the removed or broken seal* (MMNNNNNNNN):	9a) If applicable, special mark on removed or broken seal:
10) If applicable, number of the new seal placed* (MMNNNNNNNN):	10a) If applicable, special mark on new seal (contr. officer):
11) Date of last valid calibration:	
12) Other remarks	

Please keep this document in the vehicle and hand it over to authorised persons (e.g. control officers during roadside checks and / or approved workshop for the next calibration).

13) Driver at the time of the control, 14) Driver signature, 15) Officer signature,

*Written statement according to 4th subparagraph of Article 22(5) of Regulation (EU) No 165/2014.
(* **Mandatory information.**)*

INFORMATION RELATING TO TACHOGRAPH SEALS FOUND IN VEHICLES

*If the date of last valid calibration of the smart tachograph (built in accordance with **Annex IC**) is carried out from **1 March 2022**, certified seals according to the standard EN 16882:2016 (marked with a "T-logo") **must** be fitted on the smart tachograph.
Seals placed on tachographs built in accordance with **Annex I** or **Annex IB** may, but must **not**, be seals according to standard EN 16882:2016.*

Annex 3 – Evolution of Regulatory text relating to the tachograph: Regulations (EEC) No 3821/85 and Regulation (EU) No 165/2014






The tachograph regulations have evolved considerably. Initially Council Regulation (EEC) No 3821/85 provided the legal framework for installation and use of tachographs, at present Regulation (EU) No 165/2014 is applicable. A detailed analysis of all the technical provisions of these regulations is not within the scope of this document.

The most relevant requirements concerned with the use of tachographs are reflected in the table below. The table provides a comparative overview of Council Regulation (EEC) No 3821/85 and Regulation (EU) No 165/2014 as amended by mobility package 1 to showcase the evolution of legal text related to tachographs.

Council Regulation (EEC) No 3821/85 (Old Regulation)	Regulation (EU) No 165/2014 (New, currently applicable, regulation as amended by mobility package 1 – reflected as M1)
Scope	
<p>Article 3</p> <ol style="list-style-type: none"> 1. Recording equipment shall be installed and used in vehicles registered in a Member State which are used for the carriage of passengers or goods by road, except the vehicles referred to in Articles 4 and 14 (1) of Regulation (EEC) No 3820/85. 2. Member States may exempt vehicles mentioned in Article 13 (1) of Regulation (EEC) No 3820/85 from application of this Regulation. Member States shall inform the Commission of any exemption granted under this paragraph. 3. Member States may, after authorization by the Commission, exempt from application of this Regulation vehicles used for the transport operations referred to in Article 13 (2) of Regulation (EEC) No 3820/85. In urgent cases they may grant a temporary exemption for a period not exceeding 30 days, which shall be notified immediately to the Commission. The Commission shall notify the other Member States of any exemption granted pursuant to this paragraph. 4. In the case of national transport operations, Member States may require the installation and use of recording equipment in accordance with this Regulation in any of the vehicles for which its installation and use are not required by paragraph 1. 	<p>Article 3</p> <p>Scope</p> <ol style="list-style-type: none"> 1. Tachographs shall be installed and used in vehicles registered in a Member State which are used for the carriage of passengers or goods by road and to which Regulation (EC) No 561/2006 applies. 2. Member States may exempt from the application of this Regulation the vehicles mentioned in Article 13(1) and (3) of Regulation (EC) No 561/2006. 3. Member States may exempt from the application of this Regulation vehicles used for transport operations which have been granted an exception in accordance with Article 14(1) of Regulation (EC) No 561/2006. <p>Member States may exempt from the application of this Regulation vehicles used for transport operations which have been granted an exception in accordance with Article 14(2) of Regulation (EC) No 561/2006; they shall immediately notify the Commission thereof.</p> <p>▼M1</p> <ol style="list-style-type: none"> 4. No later than three years from the end of the year of entry into force of the detailed provisions referred to in the second paragraph of Article 11, the following categories of vehicles operating in a Member State other than their Member State of registration shall be fitted with a smart tachograph as provided in Articles 8, 9 and 10 of this Regulation: <ul style="list-style-type: none"> (a) vehicles fitted with an analogue tachograph; (b) vehicles fitted with a digital tachograph complying with the specifications in Annex IB to Regulation (EEC) No 3821/85 applicable until 30 September 2011; (c) vehicles fitted with a digital tachograph complying with the specifications in Annex IB to Regulation (EEC) No 3821/85 applicable from 1 October 2011; and (d) vehicles fitted with a digital tachograph complying with the specifications in Annex IB to Regulation (EEC) No 3821/85 applicable from 1 October 2012.

	<p>4a. No later than four years after the entry into force of detailed provisions referred to in the second paragraph of Article 11, vehicles which are fitted with a smart tachograph complying with Annex IC to Commission Implementing Regulation (EU) 2016/799 (10) operating in a Member State other than their Member State of registration shall be fitted with a smart tachograph as provided in Articles 8, 9 and 10 of this Regulation.</p> <p>▼B</p> <p>5. In the case of national transport operations, Member States may require the installation and use of tachographs in accordance with this Regulation in any of the vehicles for which their installation and use are not otherwise required by paragraph 1.</p>
Correct use of Tachographs	
<p>Article 13 The employer and drivers shall be responsible for seeing that the equipment functions correctly.</p>	<p>Article 32 Correct use of tachographs</p> <ol style="list-style-type: none"> 1. Transport undertakings and drivers shall ensure the correct functioning and proper use of digital tachographs and driver cards. Transport undertakings and drivers using analogue tachographs shall ensure their correct functioning and the proper use of record sheets. 2. Digital tachographs shall not be set in such a way that they automatically switch to a specific category of activity when the vehicle's engine or ignition is switched off, unless the driver remains able to choose manually the appropriate category of activity. 3. It shall be forbidden to falsify, conceal, suppress or destroy data recorded on the record sheet or stored in the tachograph or on the driver card, or print-outs from the tachograph. Any manipulation of the tachograph, record sheet or driver card which could result in data and/or printed information being falsified, suppressed or destroyed shall also be prohibited. No device which could be used to this effect shall be present on the vehicle. 4. Vehicles shall not be fitted with more than one tachograph, except for the purposes of the field tests referred to in Article 21. 5. Member States shall forbid the production, distribution, advertising and/or selling of devices constructed and/or intended for the manipulation of tachographs.
Responsibility of Transport Undertakings	
<p>Article 14</p> <ol style="list-style-type: none"> 1. The employer shall issue a sufficient number of record sheets to drivers, bearing in mind the fact that these sheets are personal in character, the length of the period of service and the possible obligation to replace sheets which are damaged, or have been taken by an authorized inspecting officer. The employer shall issue to drivers only sheets of an approved model suitable for use in the equipment installed in the vehicle. 2. The undertaking shall keep the record sheets in good order for at least a year after their use and shall give copies to the drivers concerned who request them. The sheets shall be produced or handed over at the request of any authorized inspecting officer. 	<p>Article 33 Responsibility of transport undertakings</p> <ol style="list-style-type: none"> 1. Transport undertakings shall be responsible for ensuring that their drivers are properly trained and instructed as regards the correct functioning of tachographs, whether digital or analogue, shall make regular checks to ensure that their drivers make correct use thereof, and shall not give to their drivers any direct or indirect incentives that could encourage the misuse of tachographs. <p>Transport undertakings shall issue a sufficient number of record sheets to drivers of vehicles fitted with analogue tachographs, taking into account the fact that record sheets are personal in character, the length of the period of service and the possible need to replace record sheets which are damaged or have been taken by an authorised control officer. Transport undertakings shall issue to drivers only record sheets of an approved model suitable for use in the equipment installed in the vehicle.</p> <p>Where a vehicle is fitted with a digital tachograph, the transport undertaking and the driver shall ensure that,</p>

	<p>taking into account the length of the period of service, the printing of data from the tachograph at the request of a control officer can be carried out correctly in the event of an inspection.</p> <p>2. Transport undertakings shall keep record sheets and printouts, whenever printouts have been made to comply with Article 35, in chronological order and in a legible form, for at least a year after their use, and shall give copies to the drivers concerned who request them. Transport undertakings shall also give copies of data downloaded from driver cards to the drivers concerned who request them, together with printed paper versions of those copies. Record sheets, printouts and downloaded data shall be produced or handed over at the request of any authorised control officer.</p> <p>3. Transport undertakings shall be liable for infringements of this Regulation committed by their drivers or by drivers at their disposal. However, Member States may make such liability conditional on the transport undertaking's infringement of the first subparagraph of paragraph 1 of this Article and Article 10(1) and (2) of Regulation (EC) No 561/2006.</p>
Driver cards and record sheets	
<p>Article 15</p> <p>1. Drivers shall not use dirty or damaged record sheets. The sheets shall be adequately protected on this account.</p> <p>In case of damage to a sheet bearing recordings, drivers shall attach the damaged sheet to the spare sheet used to replace it.</p> <p>2. Drivers shall use the record sheets every day on which they are driving, starting from the moment they take over the vehicle. The record sheet shall not be withdrawn before the end of the daily working period unless its withdrawal is otherwise authorized. No record sheet may be used to cover a period longer than that for which it is intended. When, as a result of being away from the vehicle, a driver is unable to use the equipment fitted to the vehicle, the periods of time indicated in paragraph 3, second indent (b), (c) and (d) below shall be entered on the sheet, either manually, by automatic recording or other means, legibly and without dirtying the sheet.</p> <p>Drivers shall amend the record sheets as necessary should there be more than one driver on board the vehicle, so that the information referred to in Chapter II (1) to (3) of Annex I is recorded on the record sheet of the driver who is actually driving.</p> <p>3. Drivers shall:</p> <ul style="list-style-type: none"> - ensure that the time recorded on the sheet agrees with the official time in the country of registration of the vehicle, - operate the switch mechanisms enabling the following periods of time to be recorded separately and distinctly: <ul style="list-style-type: none"> (a) under the sign : driving time; (b) under the sign : all other periods of work; (c) under the sign : other periods of availability, namely: <ul style="list-style-type: none"> - waiting time, i.e. the period during which drivers need remain at their posts only for the purpose of answering 	<p>Article 34</p> <p>Use of driver cards and record sheets</p> <p>▼M1</p> <p>1. Drivers shall use record sheets or driver cards every day on which they drive, starting from the moment they take over the vehicle. The record sheet or driver card shall not be withdrawn before the end of the daily working period unless its withdrawal is otherwise authorised or is necessary in order to enter the symbol of the country after having crossed a border. No record sheet or driver card may be used to cover a period longer than that for which it is intended.</p> <p>▼B</p> <p>2. Drivers shall adequately protect the record sheets or driver cards, and shall not use dirty or damaged record sheets or driver cards.</p> <p>3. When, as a result of being away from the vehicle, a driver is unable to use the tachograph fitted to the vehicle, the periods of time referred to in points (ii), (iii) and (iv) of paragraph 5(b) shall:</p> <ul style="list-style-type: none"> (a) if the vehicle is fitted with an analogue tachograph, be entered on the record sheet, either manually, by automatic recording or other means, legibly and without dirtying the record sheet; or (b) if the vehicle is fitted with a digital tachograph, be entered onto the driver card using the manual entry facility provided for in the tachograph. <p>Member States shall not impose on drivers a requirement to present forms attesting to their activities while away from the vehicle.</p> <p>4. Where there is more than one driver on board a vehicle fitted with a digital tachograph, each driver shall ensure that his driver card is inserted into the correct slot in the tachograph.</p> <p>Where there is more than one driver on board a vehicle fitted with an analogue tachograph, the drivers shall amend the record sheets as necessary, so that the relevant</p>

<p>any calls to start or resume driving or to carry out other work, - time spent beside the driver while the vehicle is in motion, - time spent on a bunk while the vehicle is in motion; (d) under the sign : breaks in work and daily rest periods.</p> <p>4. Each Member State may permit all the periods referred to in paragraph 3, second indent (b) and (c) to be recorded under the sign on the record sheets used on vehicles registered in its territory.</p> <p>5. Each crew member shall enter the following information on his record sheet: (a) on beginning to use the sheet - his surname and first name; (b) the date and place where use of the sheet begins and the date and place where such use ends; (c) the registration number of each vehicle to which he is assigned, both at the start of the first journey recorded on the sheet and then, in the event of a change of vehicle, during use of the sheet; (d) the odometer reading: - at the start of the first journey recorded on the sheet, - at the end of the last journey recorded on the sheet, - in the event of a change of vehicle during a working day (reading on the vehicle to which he was assigned and reading on the vehicle to which he is to be assigned); (e) the time of any change of vehicle.</p> <p>6. The equipment shall be so designed that it is possible for an authorized inspecting officer, if necessary after opening the equipment, to read the recordings relating to the nine hours preceding the time of the check without permanently deforming, damaging or soiling the sheet.</p> <p>The equipment shall, furthermore, be so designed that it is possible, without opening the case, to verify that recordings are being made.</p> <p>7. Whenever requested by an authorized inspecting officer to do so, the driver must be able to produce record sheets for the current week, and in any case for the last day of the previous week on which he drove.</p>	<p>information is recorded on the record sheet of the driver who is actually driving.</p> <p>5. Drivers shall: (a) ensure that the time recorded on the record sheet corresponds to the official time in the country of registration of the vehicle; (b) operate the switch mechanisms enabling the following periods of time to be recorded separately and distinctly: (i) under the sign  : driving time, (ii) under the sign  : 'other work', which means any activity other than driving, as defined in point (a) of Article 3 of Directive 2002/15/EC, and also any work for the same or another employer within or outside of the transport sector, (iii) under the sign  : 'availability', as defined in point (b) of Article 3 of Directive 2002/15/EC, ▼M1 (iv) under the sign  : breaks, rest, annual leave or sick leave, ▼M1 (v) under the sign for 'ferry/train': In addition to the sign  : the rest period spent on a ferry or train as required by Article 9 of Regulation (EC) No 561/2006. ▼B</p> <p>6. Each driver of a vehicle fitted with an analogue tachograph shall enter the following information on his record sheet: (a) on beginning to use the record sheet — his surname and first name; (b) the date and place where use of the record sheet begins and the date and place where such use ends; (c) the registration number of each vehicle to which the driver is assigned, both at the start of the first journey recorded on the record sheet and then, in the event of a change of vehicle, during use of the record sheet; (d) the odometer reading: (i) at the start of the first journey recorded on the record sheet, (ii) at the end of the last journey recorded on the record sheet, (iii) in the event of a change of vehicle during a working day, the reading on the first vehicle to which the driver was assigned and the reading on the next vehicle; (e) the time of any change of vehicle; ▼M1 (f) the symbols of the countries in which the daily working period started and finished. The driver shall also enter the symbol of the country that the driver enters after crossing a border of a Member State at the beginning of the driver's first stop in that Member State. That first stop shall be made at the nearest possible stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival. ▼M1</p> <p>7. The driver shall enter in the digital tachograph the symbols of the countries in which the daily working period started and finished.</p> <p>From 2 February 2022 the driver shall also enter the symbol of the country that the driver enters after crossing a border of a Member State at the beginning of the driver's first stop in that Member State. That first stop shall be made</p>
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at the nearest possible stopping place at or after the border. Where the crossing of the border of a Member State takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival.

Member States may require drivers of vehicles engaged in transport operations inside their territory to add more detailed geographic specifications to the country symbol, provided that those Member States have notified those detailed geographic specifications to the Commission before 1 April 1998.

It shall not be necessary for drivers to enter the information referred to in the first subparagraph if the tachograph is automatically recording location data in accordance with Article 8.

Article 35

Damaged driver cards and record sheets

1. In the event of damage to a record sheet bearing recordings or to a driver card, drivers shall keep the damaged record sheet or driver card together with any spare record sheet used to replace it.
2. Where a driver card is damaged, malfunctions, or is lost or stolen, the driver shall:
 - (a) at the start of his journey, print out the details of the vehicle he is driving, and enter on that printout:
 - (i) details that enable the driver to be identified (name, driver card or driving licence number), including his signature;
 - (ii) the periods referred to in points (ii), (iii) and (iv) of Article 34(5)(b);
 - (b) at the end of the journey, print out the information relating to periods of time recorded by the tachograph, record any periods of other work, availability and rest taken since the printout made at the start of the journey, where not recorded by the tachograph, and mark on that document details enabling the driver to be identified (name, driver card or driving licence number), including the driver's signature.

Article 36

Records to be carried by the driver

1. Where a driver drives a vehicle fitted with an analogue tachograph, he shall be able to produce, whenever an authorised control officer so requests:
 - (i) the record sheets for the current day and those used by the driver in the previous 28 days,
 - (ii) the driver card, if one is held, and
 - (iii) any manual records and printouts made during the current day and the previous 28 days as required under this Regulation and Regulation (EC) No 561/2006.
2. Where the driver drives a vehicle fitted with a digital tachograph, he shall be able to produce, whenever an authorised control officer so requests:
 - (i) his driver card,
 - (ii) any manual records and printouts made during the current day and the previous 28 days as required under this Regulation and Regulation (EC) No 561/2006,
 - (iii) the record sheets corresponding to the same period as that referred to in point (ii) during which he drove a vehicle fitted with an analogue tachograph.
3. An authorised control officer may check compliance with Regulation (EC) No 561/2006 by analysis of the record

	<p>sheets, of the displayed, printed or downloaded data which have been recorded by the tachograph or by the driver card or, failing that, of any other supporting document that justifies non-compliance with a provision, such as Articles 29(2) and 37(2) of this Regulation.</p>
Malfunctioning of equipment	
<p>Article 16</p> <p>1. In the event of breakdown or faulty operation of the equipment, the employer shall have it repaired by an approved fitter or workshop, as soon as circumstances permit.</p> <p>If the vehicle is unable to return to the premises within a period of one week calculated from the day of the breakdown or of the discovery of defective operation, the repair shall be carried out en route.</p> <p>Measures taken by Member States pursuant to Article 19 may give the competent authorities power to prohibit the use of the vehicle in cases where breakdown or faulty operation has not been put right as provided in the foregoing subparagraphs.</p> <p>2. While the equipment is unserviceable or operating defectively, drivers shall mark on the record sheet or sheets, or on a temporary sheet to be attached to the record sheet, all information for the various periods of time which is not recorded correctly by the equipment.</p>	<p>Article 37</p> <p>Procedures in the event of malfunctioning equipment</p> <p>1. In the event of the breakdown or faulty operation of a tachograph, the transport undertaking shall have it repaired by an approved fitter or workshop, as soon as circumstances permit.</p> <p>If the vehicle is unable to return to the transport undertaking's premises within a period of one week calculated from the day of the breakdown or of the discovery of defective operation, the repair shall be carried out en route.</p> <p>Measures taken by Member States pursuant to Article 41 shall give the competent authorities power to prohibit the use of the vehicle in cases where the breakdown or faulty operation has not been remedied as provided in the first and the second subparagraphs of this paragraph in so far as this is in accordance with the national legislation in the Member State concerned.</p> <p>2. While the tachograph is unserviceable or malfunctioning, the driver shall mark data enabling him to be identified (name, driver card or driving licence number), including a signature, as well as the information for the various periods of time which are no longer recorded or printed out correctly by the tachograph:</p> <p>(a) on the record sheet or sheets, or</p> <p>(b) on a temporary sheet to be attached to the record sheet or to be kept together with the driver card.</p>

Table 8: Comparative overview of Regulation (EEC) 3821/85 and Regulation (EU) No 165/2014