

Danish Transport Federation

The European Commission
DG MOVE
B-1049 Brussels
Belgium

Revision of the Community legislation on the recording equipment in road transport (tachographs)

Reference is made to the Consultation Paper presented by the European Commission seeking the opinion of interested parties no later than 1 March 2010.

The Commission consultation focuses on the recording equipment only and does not consider the rules on driving times and rest periods adopted by the European Parliament.

The Danish Transport Federation is pleased to have the possibility to contribute to the consultation and will of course remain available for the Commission for further cooperation and dialogue during the review process.

We support the purpose of the review enhancing clarity, readability and enforceability of the rules concerning the recording equipment in combination with the ambition of establishing the overall legal frame for a new generation of more secure, user friendly and interoperable recording equipment.

We would like to stress the importance of the review process being based also on the ambition to enhance the function of the digital tachograph as a useful and flexible tool in the daily communication between the driver and the undertaking.

The ambition should of course not interfere with the central element of the tachograph to control the application of the legislation on driving times and rest periods. But we firmly believe that the future digital tachograph should be able to handle both the communication between driver and the undertaking and the control of compliance with the said legislation in a user-friendly way.

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1. Functioning of the recording equipment (consultation, part 2.1)

The consultation paper calls attention to the question whether the recording equipment of different manufacturers should function in exactly the same way or if manufacturers should be given more flexibility to develop individual solutions and improve the equipment independently.

The Danish Transport Federation is of the opinion that the future legal frame for the recording equipment should ensure a harmonized frame for the arrangement, function and operational use of the equipment.

It is of outmost importance to ensure that drivers and undertakings should not in any way be forced to educate themselves and apply to different standards and operation manuals depending on the manufacturer of the equipment.

2. Integration of ITS applications (consultation, part 2.2)

The consultation paper calls attention to the question whether the legal frame should address a future development and integration of the digital tachograph into an open in-vehicle platform combining e.g. fleet management systems, GPS (and other functions related to navigation as track and trace systems), traffic management and information systems and security systems as the e-call system.

The Danish Transport Federation is positive towards the idea to incorporate a legal basis providing for a future integration between the digital tachograph and different categories of ITS applications and digital systems.

We consider the review as an obvious opportunity to prepare for an improved future interaction between the digital tachograph, ITS applications and digital systems.

It is, however, of high importance to us that the preparation for improved interaction does not conflict with the demand for user-friendliness and flexibility when operating the digital tachograph on a daily basis.

3. Remote download of recorded data and speed of downloading (consultation, part 2.3)

The consultation paper calls attention to the question whether remote download of the digital tachograph should be encouraged and what are the possible obstacles for a speedy download of data.

Attention should also be paid to the consultation paper and the Commission stating that only recently the necessary equipment for remote download has been made available on the market.

The Danish Transport Federation is of the impression that the present legislation for use of remote download of data should be replaced by new technical requirements ensuring compliance with new technology and facilitating the use of remote download of data. The new technical requirements should be in line with

new technology and have the ability to adapt to the future development of new technologies.

The requirements should ensure a voluntary approach for the use of remote control in order to adapt the download to the practice and instructions in each undertaking.

As to the question of removing possible obstacles for a speedy download of data we propose the introduction of a principle of free choice when it comes to the use of 'speed indicator'. We have been introduced to experiences showing that that the 'speed indicator' plays a key role in delaying download of data unnecessarily.

4. Scope of the regulation and other means of recording (consultation, part 3.1)

The consultation paper calls attention to the question whether different means of recording activities should be introduced as part of the review.

The question applies to situations where a vehicle - which is only occasionally engaged with driving under the scope of the regulation on driving times and rest periods - should be given the possibility to record driving and rest data by other means than the digital tachograph.

The Danish Transport Federation is positive towards the introduction of different means to record driving and rest data as part of the review. The use of different means of recording should be limited to situations where vehicles and the character of driving fall in and out of the scope of the said regulation and where driving is not seen as the main activity.

This is the case for specialised breakdown vehicles which are excluded from the scope of the said regulation when they are operating within a 100 km radius of their base.

Some of the vehicles occasionally carry out activities outside the radius of 100 kilometres and are then obliged to record previous activities as 'other work' and to record data on driving times and rest periods as regards the activities carried out outside the radius of 100 kilometres.

In this situation we would propose that a driving report from the control centre could be considered as sufficient to fulfill the obligations according to the regulation on driving times and rest periods.

Specific requirements for the data included in the driving report should be laid down as part of the review. The Danish Transport Federation will of course remain available for the Commission for further consultation on this matter.

5. Compatibility and interoperability (consultation, part 3.2)

The consultation paper calls attention to the question whether compatibility should be ensured between the current digital tachographs and a new generation of digital tachographs.

The Danish Transport Federation would like to stress the importance of ensuring full interoperability between a new generation of digital tachographs and the current system of digital tachographs.

This point of view is based on the assumption that undertakings that have already made investments in the current system of digital tachographs should not be obliged to renew these investments when a new generation of digital tachographs is introduced to the market.

6. Adaption to technical progress (consultation, part 4.3)

The consultation paper calls attention to the question whether the current way of updating the specifications on the tachograph should continue or mandate should be given to e.g. manufacturers.

The present regulation gives the Commission the competence to update the annexes with the technical requirements through a comitology procedure involving Member States and the European Parliament.

The Danish Transport Federation would like to stress the importance of a continued involvement of Member States and the European Parliament in the process of updating the technical requirements to technical progress.

As user-friendliness and a simple interface of the digital tachograph plays a very important role we would propose that steps are taken to ensure also the direct involvement of the users of the digital tachograph (in other words drivers and undertakings) in the process of updating the technical requirements to future technical progress.

7. Other questions as part of the review (consultation, part 7)

(1) Specific circumstances relating to the coach and bus sector

The Danish Transport Federation would like attention to be paid as part of the review to the premise that the adjustment of the digital tachograph should also address the specific circumstances relating to the coach and bus sector.

Vehicles used for the carriage of passengers on regular services where the route covered by the service in question does not exceed 50 kilometres are excluded from the scope of the regulation on driving times and rest periods.

We would like to propose that the digital tachograph is equipped with a display connecting the digital tachograph to a GPS-function.

Combining the digital tachograph with a GPS-function would help the driver of the coach or bus to concentrate on the activities related to driving and not focus on the time for exceeding the limit of 50 kilometres and with that the obligation to record data in accordance with the said regulation.

(2) Display to make notes about driving activities

The Danish Transport Federation would like to put forward the proposal that the digital tachograph is equipped with a display enabling the driver to make notes about driving activities outside the scope of the regulation on driving times and rest periods.

Today the driver would normally make the notes on driving activities excluded from the scope of the said regulation on a piece of paper which should then be kept separately until the reading of the recorded data every 28 days.

The proposal would simplify the administration related to the said regulation.

(3) The driver's card and the card for education in one

The Danish Transport Federation proposes that the driver card used for the digital tachograph and the card proving the education of the driver is put together in one card.

Both types of cards are based on EU-legislation.

(4) Calculation of driving time (the 3 minute issue)

The function of the digital tachograph rounding up of driving time to full minutes irrespective of the exact amount of driving time has been considered a serious problem.

New specifications solving the "1 minute issue" have been laid down in Commission Regulation 1266/2009 adapting for the tenth time to technical progress Council Regulation No 3821/85 on recording equipment in road transport.

One of the problems with the digital tachograph is the registering of one full minute of driving whenever the vehicle is moving more than five seconds. This problem has been eliminated via the adoption of the said Commission Regulation.

In addition to this the Danish Transport Federation would like attention to be paid to another problem relating to the calculation of driving time by the digital tachograph.

Given a calendar minute, if any driving occurred in the immediately preceding minute and the immediately succeeding minute, the whole minute shall be regarded as driving.

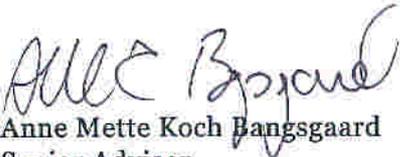
In combination with the said one minute issue this could result in up to three minutes driving times being recorded not taking into consideration that as little

as 10 seconds driving actually took place. The problem has been reduced by solving the one minute issue.

However, we would highly appreciate a common solution concerning the right calculation of driving time to be found as part of the review process.

The Danish Transport Federation will of course remain available for the Commission for questions and further consultation on the point of views presented in this response.

Yours sincerely,


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