

Penalties for the 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 (*The level of seriousness for new infringements under Mobility Package 1 marked with yellow*).

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 the HELLENIC REPUBLIC

National legislation for penalties related to infringements against Regulation (EC) 561/2006:

Administrative penalties for infringements against Regulation 561/2006 are stipulated in the Joint Minister Decision no. Φ450/89969/2023 (Greek Government Gazette series B issue no. 1858/ 24 March 2023, https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230201858).

The level of penalties is proportional to the seriousness of the infringements. The seriousness of infringements follows the classification of infringements according to Regulation (EU) 2016/403.

In case of multiple infringements detected during a roadside check, control authorities impose a single administrative fine, which consists of the fine for one of the more serious infringements detected plus 10% of the total amount of the other fines.

Criminal sanctions: No criminal sanctions are directly stipulated in the current penalty system, which provides only for administrative fines and measures. However, the control authorities may launch a criminal procedure following a roadside check, in case that an infringement also constitutes a criminal offence under the Greek Penal Code, depending on the circumstances of the case.

Administrative measures:

(a) The license plate and certificate of registration of the vehicle are withheld until payment of the fine.

(b) The vehicle is immobilized for infringements of Regulation 561/2006 until the infringement is lifted (eg. suitable break or rest is taken), where applicable.

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			Enterprise: 300 euros Driver: 100 euros	
Driving periods									
Art. 6.1	Exceed daily driving time of 9h if possibilities to extend to 10h not allowed	9h < ... < 10h				X		Enterprise: 50 Driver: 20	
		10h ≤ ... < 11h			X		Enterprise: 300 euros Driver: 100 euros		
		11h ≤ ...		X			Enterprise: 550 euros Driver: 660 euros		
	Exceed daily driving time of 9h by 50 % or more without taking a break or without any rest of at least 4,5 hours	13h30 ≤ ... and no break/rest	X				Enterprise: 1000 euros Driver: 500 euros		
					X		Enterprise: 50 euros		

	Exceed extended daily driving time of 10h if extension allowed	10h < ... < 11h						Driver: 20 euros	
		11h ≤ ... < 12h			X			Enterprise: 300 euros Driver: 100 euros	
		12h ≤ ...		X				Enterprise: 550 euros Driver: 260 euros	
	Exceed daily driving time of 10h by 50 % or more without taking a break of or without any rest of at least 4,5 hours	15h ≤ ... and no break/rest	X					Enterprise: 1000 euros Driver: 500 euros	
Art. 6.2	Exceed weekly driving time	56h < ... < 60h				X		Enterprise: 50 Driver: 20	
		60h ≤ ... < 65h			X			Enterprise: 300 euros Driver: 100 euros	
		65h ≤ ... < 70h		X				Enterprise: 550 euros Driver: 260 euros	
	Exceed weekly driving time by 25 % or more	70h ≤ ...	X					Enterprise: 1000 euros Driver: 500 euros	
Art 6.3	Exceed maximum total driving time	90h < ... < 100h				X		Enterprise: 50 Driver: 20	

	during 2 consecutive weeks	$100h \leq \dots < 105h$			X			Enterprise: 300 euros Driver: 100 euros	
		$105h \leq \dots < 112h30$		X				Enterprise: 550 euros Driver: 260 euros	
	Exceed maximum total driving time during 2 consecutive weeks by 25 % or more	$112h30 \leq \dots$	X					Enterprise: 1000 euros Driver: 500 euros	
Art. 6.5	Lacking records for “other work” and “periods of availability” ¹								
Art. 12	Lacking indication of reasons for exceeding driving times in exceptional circumstances ²								
	Not taking a break of 30 minutes prior to additional driving of more than 1 hour and less than 2 hours ³								

¹The lack of records for “other work” and “periods of availability” is sanctioned as an infringement of article 36 para 1 (iii) Reg.165/2014.

² A lack of indication of the reasons for exceeding driving times in exceptional circumstances will mean that the excess driving time will not be justified and will be sanctioned as an excess of driving time depending on the circumstances. There is no additional penalty stipulated for not recording the reasons

³ Not taking a break of 30 minutes prior to additional driving of more than one hour and less than 2 hours in exceptional circumstances means that the excess driving will not fall under the exception of article 12 and will be sanctioned as an excess of driving time depending on the circumstances. There is no additional penalty stipulated for not taking a 30 minute break.

	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 ⁴							
Art. 12	No compensation of equivalent rest period for an extended driving time							

Breaks

Art. 7	Exceed uninterrupted driving time of 4,5 hours before taking the break	4h30 < ... < 5h				X		Enterprise: 50 euros Driver: 20 euros
		5h ≤ ... < 6h			X			Enterprise: 300 euros Driver: 100 euros
		6h ≤ ...		X				Enterprise: 550 euros Driver: 260 euros

Rest Periods

Art. 8.2	Insufficient daily rest period of less than 11h if	10h ≤ ... < 11h				X		Enterprise: 50 Driver: 20
		8h30 ≤ ... < 10h			X			Enterprise: 300 euros

⁴ 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 means that the entire excess driving will not fall under the exception of article 12 and will be sanctioned as an excess of driving time depending on the circumstances. There is no additional penalty for this excess of driving time.

	reduced daily rest period not allowed							Driver: 100 euros	
		... < 8h30		X				Enterprise: 550 euros Driver: 260 euros	
	Insufficient reduced daily rest period of less than 9h if reduce allowed	8h ≤ ... < 9h				X		Enterprise: 50 Driver: 20	
		7h ≤ ... < 8h			X			Enterprise: 300 euros Driver: 100 euros	
		... < 7h		X				Enterprise: 550 euros Driver: 260 euros	
	Insufficient split daily rest period of less than 3h + 9h	3h + [8h ≤ ... < 9h]				X		Enterprise: 50 euros Driver: 20 euros	
		3h + [7h ≤ ... < 8h]			X			Enterprise: 300 euros Driver: 100 euros	
		3h + [... < 7h]		X				Enterprise: 550 euros Driver: 260 euros	
Art 8.5	Insufficient daily rest period of less than 9h for multi-manning	8h ≤ ... < 9h				X		Enterprise: 50 euros Driver: 20 euros	
		7h ≤ ... < 8h			X			Enterprise: 300 euros Driver: 100 euros	
		... < 7h		X				Enterprise: 550 euros	

								Driver: 260 euros	
Art 8.6	Insufficient reduced weekly resting period of less than 24 h	$22h \leq \dots < 24h$				X		Enterprise: 50 euros Driver: 20 euros	
		$20h \leq \dots < 22h$			X			Enterprise: 300 euros Driver: 100 euros	
		$\dots < 20h$		X				Enterprise: 550 euros Driver: 260 euros	
	Insufficient weekly resting period of less than 45 h if reduced weekly resting period not allowed	$42h \leq \dots < 45h$				X		Enterprise: 50 euros Driver: 20 euros	
		$36h \leq \dots < 42h$			X			Enterprise: 300 euros Driver: 100 euros	
		$\dots < 36h$		X				Enterprise: 550 euros Driver: 260 euros	
Article 8.6	Exceeding 6 consecutive 24-hour periods following the previous weekly rest period	$\dots < 3h$				X		Enterprise: 50 euros Driver: 20 euros	
		$3h \leq \dots < 12h$			X			Enterprise: 300 euros Driver: 100 euros	
		$12h \leq \dots$		X				Enterprise: 550 euros Driver: 260 euros	

Art 8.6 ⁵	Compensation for two consecutive reduced weekly rest periods not taken <i>en bloc</i> with the following weekly rest period ⁶		X				Enterprise: 550 euros Driver: 260 euros	
	Less than two regular weekly rest periods in any four consecutive weeks ⁷							
Art. 9	Daily rest period interrupted more than twice by other activities or for a period of time exceeding one hour in total ⁸							
Art. 9	Weekly rest period interrupted more than twice by other activities or for a period of time exceeding one hour in total ⁹							
Art. 9	Recording 'rest' for the time spent on ferry or train without having an access to a sleeper cabin, bunk or couchette ¹⁰							

⁵ Infringements of Article 8.8, Regular weekly rest period or any weekly rest period of more than 45 hours taken in a vehicle (VSI) Financial penalty: Enterprise 550€ Driver 260€. Infringements of Article 8.8 : The employer not covering costs for accommodation outside the vehicle (SI): Enterprise 300€

⁶ Article 8.6b

⁷ A reduced weekly resting period taken in breach of article 8.6 will be sanctioned as insufficient weekly resting period where no reduced weekly resting period is allowed

⁸ A daily rest period interrupted more than twice will not qualify as a daily rest period and will be sanctioned as insufficient daily rest period

⁹ Same as previous note

¹⁰ Time spent on ferry or train without having access to a sleeper cabin, bunk or couchette will not qualify as rest and will be sanctioned as insufficient rest

12-day rule derogation									
Art. 8.6a.	Exceeding 12 consecutive 24-hour periods following a previous regular weekly rest	... < 3h			X			Enterprise: 50 euros Driver: 20 euros	
		$3h \leq \dots < 12h$			X			Enterprise: 300 euros Driver: 100 euros	
		$12h \leq \dots$		X				Enterprise: 550 euros Driver: 260 euros	
Art. 8.6a. (b)(ii)	Weekly rest period taken following 12 consecutive 24-hour periods	$65h < \dots \leq 67h$			X			Enterprise: 300 euros Driver: 100 euros	
		$\dots \leq 65h$		X				Enterprise: 550 euros Driver: 260 euros	
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	$3h < \dots < 4,5 h$			X			Enterprise: 300 euros Driver: 100 euros	
		$4,5 h \leq \dots$		X				Enterprise: 550 euros Driver: 260 euros	
Work organisation									
Art. 10.1	Link between wage and distance travelled or amount of goods carried			X				Enterprise: 550 euros	

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				Enterprise: 550 euros		
Art. 8.8	Transport undertaking unable to prove the work organisation enabling a driver to return 'home' at least every 4 weeks ¹¹		X				Enterprise 550€		

¹¹ Article 8(8a)

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

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

Administrative penalties for infringements against regulation 165/2014 are stipulated in the Joint Minister Decision no. Φ450/89969/2023 (Greek Government Gazette series B issue no. 1858/24 March 2023 https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230201858).

The level of penalties is proportional to the seriousness of the infringements. The seriousness of infringements follows the classification of infringements according to Regulation (EU) 2016/403.

In case of multiple infringements detected during a roadside check, control authorities impose a single fine, which consists of the fine for one of the more serious infringements detected plus 10% of the total amount of the other fines

Criminal sanctions: No criminal sanctions are directly stipulated in the current penalty system, which provides only for administrative fines and measures. However, the control authorities may launch a criminal procedure following a roadside check, in case that an infringement also constitutes a criminal offence under the Greek Penal Code, depending on the circumstances of the case.

Administrative measures:

(a) The license plate and certificate of registration of the vehicle are withheld until payment of the fine

(b) Administrative measures are imposed for certain infringements of Regulation 165/2014, such as confiscation of driver card, immobilization of vehicle until the infringement is lifted etc

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)	X					Enterprise: 3000 euros	
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	<i>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>							
Art. 3.4 and 3.4a	Not having a smart tachograph version 2 installed and used by the specified deadlines	X						Enterprise: 3000 euros
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	X						Enterprise: 3000 euros

	days or by a control officer at the control							
Art. 23.1	Using a tachograph not inspected by an approved workshop		X					Enterprise:950 euros
Art. 27	Driver holding and/or using more than one own driver card		X					Enterprise:950 euros Driver: 450 euros
	Driving with a driver card that has been falsified (<i>considered as driving without driver card</i>)	X						Enterprise: 1000 euros Driver: 500 euros
	Driving with a driver card of which the driver is not the holder (<i>considered as driving without driver card</i>)	X						Enterprise: 1000 euros Driver: 500 euros
	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						Enterprise: 1000 euros Driver: 500 euros

Art. 32.1	Tachograph not correctly functioning (e.g.: tachograph not properly inspected, calibrated and sealed)		X				Enterprise: 950 euros	
Art. 32.1 and Art. 33.1	Tachograph improperly used (e.g.: deliberate, voluntary or imposed misuse, lack of instructions on correct use, etc.)		X				Enterprise: 550 euros Driver: 260 euros	
Art. 32.3	Using a fraudulent device able to modify the records of the tachograph	X					Enterprise:3000 euros Driver: 1000 euros	
	Falsifying, concealing, supressing or destroying data recorded on the record sheets or stored and downloaded from the tachograph and/or the driver card	X					Enterprise:2000 euros Driver: 750 euros	
Art. 33.2	Undertaking not keeping record sheets,		X				Enterprise: 550 euros	

	printouts and downloaded data							
	Recorded and stored data not available for at least a year		X					Enterprise: 550 euros
Art 34.1 and 34.6	Incorrect use of record sheets/driver card		X					Enterprise: 550 euros Driver: 260 euros
	Unauthorised withdrawal of record sheets or driver card which has an impact on the record of relevant data		X					Enterprise: 550 euros Driver: 260 euros
	Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost ¹²		X					Enterprise: 550 euros Driver: 260 euros
Art. 34.2	Use dirty or damaged record sheets or drivers card and data not legible		X					Enterprise: 550 euros Driver: 260 euros

¹² Article 34(1a)

Art. 34.3	Not using manual input when required to do so		X			Enterprise: 550 euros Driver: 260 euros
Art. 34.4	Not using correct record sheet or driver card not in the correct slot (multi-manning)			X		Enterprise: 300 euros Driver: 100 euros
Art. 34.5	Incorrect use of switch mechanism		X			Enterprise: 550 euros Driver: 260 euros
Art. 34.6	Lacking records of symbols of countries where a driver started and finished the daily working period ¹³		X			Enterprise: 550 euros Driver: 260 euros
Art 34.7	Lacking records of symbols of countries whose borders a driver crossed during the daily working period ¹⁴			X		Enterprise: 300 euros Driver: 100 euros

Producing information¹⁵

¹³ Infringement of Article 34(6): Required information not entered on the record sheet (VSI) Financial penalty: Enterprise 550€, Driver 260€

¹⁴ Additional infringement for Article 34.7 : Records not showing the symbols of the countries where the driver's daily working period started and finished (SI) Financial penalty: Enterprise 300€, Driver 100€

¹⁵ Additional infringement for Article 34(5), point (b)(v) : Incorrect use or non-use of the ferry/train sign (SI) Financial penalty: Enterprise 300€, Driver 100€

Art. 36	Refusing to be checked		X				Enterprise: 950 euros Driver: 450 euros	
Art. 36	Unable to produce records of current day and the previous 56 days ¹⁶		X				Enterprise: 950 euros Driver: 450 euros	
	Unable to produce records of the driver card if the driver holds one		X				Enterprise: 950 euros Driver: 450 euros	
Art. 36	Unable to produce manual records and printouts made during the current day and the previous 56 days ¹⁷		X				Enterprise: 950 euros Driver: 450 euros	
Art. 36	Unable to produce a driver card, if the driver holds one		X				Enterprise: 950 euros Driver: 450 euros	
Malfunctioning								
Art. 37.1 and Art. 22.1	Tachograph not repaired by an approved fitter or workshop		X				Enterprise: 950 euros	

¹⁶ 28 days until 31 December 2024.

¹⁷ 28 days until 31 December 2024.

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				Enterprise: 550 euros Driver: 260 euros	
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