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Datum
17.02.2010

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

Dear Sir or Madam,

Referring to the consultation paper for the new generation of digital tachographs please find attached the consolidated VDA position.

Question 1 - Is it important that equipment of different manufacturers functions in exactly the same way? Or should legislation focus on essential requirements and give manufacturers more freedom to develop solutions and improve the equipment?

VDA position:

The VDA recommends standardisation of:

- HMI
- interface (mechanical and electrical)
- second speed signal
- data storage devices

Rationale:

Too much integration into the vehicle architecture should be avoided to ensure the necessary flexibility in exports, conversion and retrofitting.

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Question 2 - Should the legislation on the tachograph already foresee the integration of the digital tachograph into an open in-vehicle platform? If so, what other regulatory applications should be integrated in this platform (e.g. e-toll, recorder for accident investigation, e-call, speed control) and why? Would it be interesting for fleet management or other applications related to safety or security of transport, or to law enforcement, to have a real-time "tracking and tracing" function?

VDA position:

Policy-makers should not prescribe the integration of recording equipment in an open platform. Integration should be a possible option, but should not be prescribed as long as the functional requirements and the security requirements (the recording equipment is subject to ITSEC while additional applications are not, and separation by a firewall) remained unfulfilled. The firewall should be regulated by law.

For vehicles falling within the scope of application of Regulation EC 561/2006, the features proposed by the Commission (e-toll, recorder for accident investigation, e-call and speed control) have so far not been required by law and/or not standardised in Europe. The VDA rejects mandatory real-time vehicle tracking for reasons concerning data-protection law, user acceptance and costs.

There must be a standard HMI. The devices must be interchangeable (i.e. standardised) to promote competition and reliability. For other features, such as the e-toll, recorders for accident investigation, e-call and speed control, cost-benefit studies should be carried out to demonstrate efficiency and determine the additional costs.

Rationale:

A high level of variance between recording devices permitted for individual countries and vehicle groups should be avoided.

Question 3 - Should remote download of the digital tachograph be encouraged? Is a regulatory approach deemed appropriate in order to facilitate widespread introduction?

VDA position:

It should be possible to log on to the recording equipment (for remote download) on a voluntary basis. We reject making this mandatory.

Rationale:

If it offers a benefit, the entrepreneur can use it on a voluntary basis. We reject making downloading compulsory for the customers because it would be uneconomical for small enterprises in particular. However, all devices should be required to offer remote downloading.

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Question 4 - What is your practical experience? Are there any obstacles for speedy download of data?

VDA position:

It takes a very long time to download data using first-generation devices. Downloading data is sufficiently fast using modern devices. Alternatives such as remote download are available as options. An upper limit should be set for the duration of the download.

Question 5 - How could the equipment be changed in order to make controls more efficient? Should the mobile control of moving vehicles be envisaged in order to reduce administrative burden for industry and enforcement bodies?

VDA position:

The VDA rejects the possibility of mobile control (rationale: violation of data protection).

Question 6 - Is the current security level proportional? Can and should there be other sources of motion? Could the authenticated time/speed/positioning data provided by the future European "GPS" system, Galileo, be used as a second and independent source of motion to ensure security of data?

VDA position:

The VDA rejects making it mandatory to use a GPS/Galileo signal.

Rationale:

The requirements prescribed for 2012 (Regulation amending EEC 3821/85) are sufficient (second speed signal and electromagnetically secure motion sensor).

Question 7 - In case a vehicle is only occasionally used in the scope of Regulation (EC) No 561/2006, for example when exceeding from time to time the radius set in some exceptions, should it be possible to use different means of recording activities?

VDA position:

There should be only one solution for digital recording equipment.

In addition, the vehicle manufacturers call for a political and/or technical solution to be found for vehicles in which the primary motion sensor and the second signal for vehicle motion detection cannot be installed for technical reasons. It appears expedient for the solution in place until 2013 (extension of the adapter solution) to be extended.

Question 8 - Which option do you prefer? In case you prefer option 2: What are the most important issues for compatibility between a new generation of tachographs and the current digital tachograph, and what other parts of the equipment, apart from driver cards, should be compatible in your view?

Option 1: No new recording devices will be introduced

Option 2: Introduction of a new generation of recording devices, compatibility with data storage devices (tachograph cards), programming tools, and interfaces (motion sensors)

Option 3: Introduction of a new generation of recording devices without imposing compatibility requirements

VDA position:

The VDA supports the continuing development of the recording devices. Backward compatibility must be ensured. We support Option 2 if the downstream processes are taken into account and the evolutionary continuing development stands up to a cost-benefit study.

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Question 9 - Should the legislation specify how new equipment has to be introduced in the field? Should a retrofit be possible, mandatory or take place in case of replacement of defective equipment? What are the essential steps for the introduction of new equipment? Should type approval for tachographs fall under the general type approval scheme for vehicles?

(1) Should the legislation specify how new equipment has to be introduced in the field?

VDA position:

The introduction must be carried out in accordance with the standard introduction scenarios in EC 2007/46.

(2) Should a retrofit be possible, mandatory or take place in case of replacement of defective equipment?

VDA position:

When recording equipment is retrofitted, it must always correspond to the technological standard of the device that was originally installed in the vehicle.

(3) What are the essential steps for the introduction of new equipment?

VDA position:

One essential point is the necessary lead time. Once a part has become available for series construction, the vehicle manufacturers need a lead time of approx. 18 months.

(4) Should type approval for tachographs fall under the general type approval scheme for vehicles?

VDA position:

The VDA supports type approval testing for recording devices as part of overall vehicle homologation. Manufacturers of the recording devices should apply for type approval.

Integration into the vehicle should be set down within the scope of EC 2007/46.

Vehicles defined in Regulation EC 68/2009 should be exempt.

Rationale:

This should relieve the current situation, in which the deadlines always refer to vehicles discussed in the MIDT.

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Question 10 - Should it be possible to carry out field tests before type approval is requested, while maintaining the same security standards? How should field test be limited (geographically, number of equipments, duration of the field test, etc.)?

VDA position:

It is important to conduct field tests, but this is not permitted by the law as it currently stands. For this reason we propose issuing an exemption permit for a limited number of recording devices that are used in series construction but do not yet have type approval. This exemption permit would apply to enterprises operating such devices in vehicles that fall within the scope of Regulation EC 561/2006.

Question 11 - Which option do you prefer and if you prefer option 2 or 3, for which parts: seals, downloading equipment, control equipment, calibration tools, etc.?

VDA position:

Option 3, i.e. tools for calibration, paper and seals should be subject to a common standard.

Question 12 - Is the current way of updating the specifications on the tachograph satisfying? Who should be responsible for the updating of the technical requirements? What is your preferred option?

VDA position:

The Commission continues to update the technical specifications of the equipment through comitology and ensures that gaps in regulations or specifications are handled uniformly in all member states.

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Question 13 - Should the trustworthiness of workshops be improved? If so, how? How can conflicts of interest be avoided for workshops that are living from delivering services to individual clients but play at the same time an important role in the security of the recording equipment?

Background:

An increasing number of manipulations are coming to light that are evidently being carried out by authorised workshops.

VDA position:

Audits to improve security, reliability and the standard of training in the technology. Control is not the task of the workshops.

Question 14 - What kind of data should be entered manually by the driver? What kind of information should be recorded automatically by the recording equipment? Is it appropriate to record more precisely the location (via GPS or GNSS for example)?

VDA position:

The devices should be developed so that the customer has a free choice whether to enter the data manually or via a module for documenting journey data. Manual entry should be avoided. Journey data are not necessary.

Question 15 - Should the Regulation explicitly foresee the use of electronic data exchange on cards that are issued between card issuing authorities?

VDA position:

No position, as this should be determined by the control authorities.

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Question 16 - Should the Regulation explicitly foresee warnings for the driver in order to enhance compliance with the legislation on driving times and rest periods? Should it be up to manufacturers' choice to offer such warnings as an optional tool, including additional warnings for other aspects than the continuous driving time?

VDA position:

All tachographs should provide the same information (EU standard). However, the OEMs should decide on the type of display/warning.

Question 17 - Do you have any other comments or suggestions which you consider should be taken into account during the revision of the European legislation on recording equipment?

VDA position:

Co-ordination with the AETR rules relating to specifications and handling.

Question 18 - Would you like to propose other measures to make the recording equipment more user-friendly and to improve the reliability of controls?

VDA position:

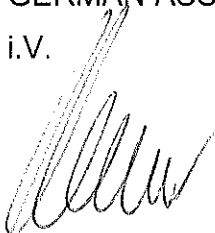
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For further questions please contact Mr. Heiner Hunold (hunold@vda.de)

With kind regards,

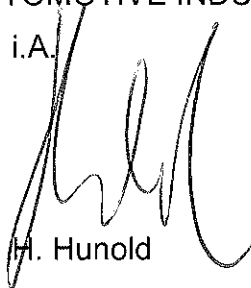
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