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Subject:	ANNEXES to the COMMISSION REGULATION (EU) No.../.. of XXX supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council

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Delegations will find attached document D034120/02 ANNEXES 1 to 3.

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Encl.: D034120/02 ANNEXES 1 to 3



Brussels, XXX  
[...] (2014) XXX draft

ANNEXES 1 to 3

**ANNEXES**

*to the*

**COMMISSION REGULATION (EU) No.../..**

**of XXX**

**supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council**

## ANNEX I

### CATEGORISATION OF SERIOUS INFRINGEMENTS

(REFERRED TO IN ARTICLE 1)

The following table contains categories and types of serious infringements against the EU rules in the commercial road transport, divided into three categories of seriousness according to their potential to create a risk of fatalities or serious injuries.

#### 1. Groups of infringements against Regulation (EC) No 561/2006<sup>1</sup> (Driving and resting time)

No	LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS <sup>2</sup>		
			MSI	VSI	SI
<b>Crew</b>					
1.	Art 5.1	Not respecting minimum ages for conductors			X
<b>Driving periods</b>					
2.	Art. 6.1.	Exceed daily driving time of 9h if possibilities to extend to 10h not allowed	10h≤...<11h		X
3.			11h≤...		X
4.		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	
5.		Exceed extended daily driving time of 10h if extension allowed	11h≤...<12h		X
6.			12h≤...		X
7.		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	
8.		Art. 6.2	Exceed weekly driving time	60h≤...<65h	
9.	65h≤...<70				X
10.	Exceed weekly driving time by 25% or more		70h≤...	X	
11.	Art 6.3	Exceed maximum total driving time during 2 consecutive weeks	100h≤...<105h		X
12.			105h≤...<112h30		X
13.		Exceed maximum total driving time during 2 consecutive weeks by 25% or more	112h30≤...	X	
<b>Breaks</b>					
14.	Art. 7	Exceed uninterrupted driving time before taking the break	5h≤...<6h		X
15.			6h≤...		X
<b>Rest Periods</b>					
16.	Art 8.2.	Insufficient daily rest period of less than 11h if reduced daily rest period not allowed	8h30≤...<10h		X
17.			...<8h30		X
18.		Insufficient reduced daily rest period of less than 9h if reduce allowed	7h≤...<8h		X
19.			...<7h		X

<sup>1</sup> Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85, OJ L 102, 11.4.2006, p. 1.

<sup>2</sup> MSI= Most Serious Infringements / VSI = Very Serious Infringement / SI = Serious Infringement.

20.		Insufficient split daily rest period of less than 3h+9h	3h+[7h≤...<8h]			X
21.			3h+[...<7h]		X	
22.	Art. 8.5	Insufficient daily rest period of less than 9h for multi-manning	7h≤...<8h			X
23.			...<7h		X	
24.	Art. 8.6	Insufficient reduced weekly resting period of less than 24 h	20h≤...<22h			X
25.			...<20h		X	
26.		Insufficient weekly resting period of less than 45 h if reduced weekly resting period not allowed	36h≤...<42h			X
27.	...<36h			X		
28.	Art. 8.6(a)	Use of 12-day rule derogation not in accordance with the EU requirements			X	
<b>Work organisation</b>						
29.	Art. 10.1	Link between wage and distance travelled or amount of goods carried			X	
30.	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

## 2. Groups of infringements against Regulation (EEC) No 3821/85<sup>3</sup> (Recording equipment)

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
<b>Installation of recording equipment</b>					
1.	Art. 3.1	Not having type approved recording equipment installed and used	X		
<b>Use of recording equipment, driver card or record sheet</b>					
2.	Art. 13	Recording equipment not correctly functioning (e.g.: recording equipment not properly inspected, calibrated and sealed )		X	
3.		Recording equipment improperly used (e.g.: not using a valid driver card, voluntary abuse)		X	
4.	Art. 14.2	Undertaking not keeping record sheets, printouts and downloaded data		X	
5.	Art. 14.4	Driver holding more than one valid driver card		X	
6.		Driving with a driver card that has been falsified	X		
7.		Driving with a driver card of which the driver is not the holder	X		
8.		Driving with a driver card which has been obtained on the basis of false declarations and/or forged documents	X		
9.		Use of defective or expired driver card		X	
10.	Art. 14.5	Recorded and stored data not available for at least 365 days		X	
11.	Art. 15.1	Use dirty or damaged sheets or drivers cards and data not legible		X	
12.	Art. 15.2	Incorrect use of record sheets/driver cards		X	
13.		Unauthorized withdrawal of sheets or driver card which has an impact on the record of relevant data		X	
14.		Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X	
15.		Not using manual input when required to do so			X

<sup>3</sup> Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport, OJ L 370, 31.12.1985, p.8

16.		Not using correct sheet or driver card not in the correct slot (multi-manning)			X
17.	Art. 15.3	Incorrect use of switch mechanism			X
<b>Producing information</b>					
18.	Art. 15.7	Refuse to be checked		X	
19.	Art. 15.7	Unable to produce records of current day		X	
20.		Unable to produce records of previous 28 days		X	
21.		Unable to produce records of the driver card if the driver holds one		X	
22.		Unable to produce manual records and printouts made during the current day and the previous 28 days		X	
23.		Unable to produce driver card		X	
<b>Fraud</b>					
24.	Art 15.8	Using a fraudulent device able to modify the records of the recording equipment	X		
25.		Falsifying record sheets or data downloaded from the tachograph and/or the driver card	X		
<b>Breakdown</b>					
26.	Art. 16.1	Not repaired by an approved fitter or workshop		X	
<b>Manual input on printouts</b>					
27.	Art. 16.2	Driver not marking all required information for the periods of time, which are no longer recorded while recording equipment is unserviceable or malfunctioning		X	

### 3. Groups of infringements against Directive 2002/15/EC<sup>4</sup> (Working time rules)

No	LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS			
			MSI	VSI	SI	
<b>MAXIMUM WEEKLY WORKING TIME</b>						
1.	Art. 4	Exceeding maximum weekly working time of 48h if possibilities to extend to 60h already consumed	56h ≤ ... 60h			X
2.			60h ≤ ...		X	
3.		Exceeding maximum weekly working time of 60h if no derogation under Art.8 granted	65 ≤ ... < 70h			X
4.			70h ≤ ...		X	
<b>BREAKS</b>						
5.	Art.5.1	Insufficient obligatory break taken when working time between 6 and 9 hrs	10 < ... ≤ 20 min			X
6.			... ≤ 10 min		X	
7.		Insufficient obligatory break taken when working time over 9 hrs	20 < ... ≤ 30min			X
8.			... ≤ 20 min		X	
<b>NIGHT WORK</b>						
9.	Art.7.1	Daily working time in each 24h when night work performed if no derogation under Art.8 granted	11h ≤ ... < 13h			X
10.			13h ≤ ...		X	
<b>RECORDS</b>						

<sup>4</sup> Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities, OJ L 80, 23.3.2002, p. 35.

11.	Art.9	Employers falsifying working time records or refusing to provide records to inspection officer		X	
12.		Employed/self-employed drivers falsifying records or refusing to provide records to inspection officer		X	

#### 4. Groups of infringements against Directive 96/53/EC<sup>5</sup> (Weight and dimension rules)

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS		
				MSI	VSI	SI
<b>WEIGHTS</b>						
1.	Art. 1	Exceed maximum weight for N3 vehicles	5%≤...< 10%			X
2.			10%≤...<20%		X	
3.			20%≤ ...	X		
4.	Art. 1	Exceed maximum weight for N2 vehicles	5%≤...< 15%			X
5.			15%≤...<25%		X	
6.			25%≤ ...	X		
<b>LENGTHS</b>						
7.	Art. 1	Exceed maximum length	2% <...< 20 %			X
8.			20 % ≤...		X	
<b>WIDTH</b>						
9.	Art.1	Exceed maximum width	2,65≤ ...< 3,10 meters			X
10.			3,10 meters ≤...		X	

#### 5. Groups of infringements against Directive 20014/45/EU<sup>6</sup> (Periodic roadworthiness tests) and Directive 2014/47/EU<sup>7</sup> (Technical roadside inspection)

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS		
				MSI	VSI	SI
<b>ROADWORTHINESS</b>						
1.	Art. 8 and 10 Directive 2014/45 and Art. 7.1 of Directive 2014/47/EU	Driving without a valid proof of roadworthiness tests passed, as required by the EU law		X		
2.	Art. 7.3 of Directive 2014/47/EU	Not keeping a vehicle in a safe and roadworthy condition resulting in a very serious deficiency of the braking system, the steering linkages, the wheels/tires, the suspension or chassis or other equipment that would create such an immediate risk to road safety that it leads to a decision to immobilize the vehicle		X		

<sup>5</sup> Directive 96/53/EC Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic, OJ L 235, 17.9.1996, p. 59. The Directive is under revision – Commission proposal adopted on 15.4.2013, COM(2013) 195;

<sup>6</sup> Directive 20014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC, OJ L 127, 29.4.2014, p. 51

<sup>7</sup> Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC, OJ L 127, 29.4.2014, p. 134

Directive 2014/47/EU on technical roadside inspection of the roadworthiness of commercial vehicles contains in its Annex II a detailed classification of technical deficiencies divided, according to their level of severity, into minor, major and dangerous deficiencies. Article 12.2 of this Directive provides for the following definitions:

- (a) **minor** deficiencies having no significant effect on the safety of the vehicle or impact on the environment, and other minor non-compliances;
- (b) **major** deficiencies that may prejudice the safety of the vehicle or have an impact on the environment or put other road users at risk, or other more significant non-compliances;
- (c) **dangerous** deficiencies constituting a direct and immediate risk to road safety or having an impact on the environment.

The level of infringements against the provisions of the roadworthiness directives shall reflect the classification of deficiencies contained in Annex II of Directive 2014/47/EU, namely: **dangerous** deficiencies = **VSI**, **major** deficiencies = **SI**. Minor deficiencies would be equal to the level of minor infringements.

### 6. Groups of infringements against Directive 2002/85/EC<sup>8</sup> (Speed-limiting devices)

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Art. 2 and 3 of Directive 2002/85/EC	Speed limiter device not fitted	X		
2.		Speed limiter switched off		X	
3.		Speed limiter incorrectly calibrated / wrong settings		X	
4.	Art. 5 of Directive 2002/85/EC	Speed limiter not fitted by an approved workshop			X
5.		Seals of the speed limiter and, where appropriate, any other means of protecting the connections against fraudulent manipulation not intact		X	
6.		Using a fraudulent device able to falsify data of speed limiter or using a fraudulent speed limiter	X		

### 7. Groups of infringements against Directive 2003/59/EC<sup>9</sup> (Initial qualification and periodic training of drivers)

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
<b>TRAINING AND LICENCE</b>					
1.	Art.3	Carrying goods or passengers without a compulsory initial qualification and/or compulsory periodic training			X
2.	Art. 10 and Annex II	Lack of qualification card, where required by the national law, refusal to present the card or qualification card expired			X
3.		Qualification card, where required by the national law, damaged or unreadable			X

<sup>8</sup> Directive 2002/85/EC of the European Parliament and of the Council of 5 November 2002 amending Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community, OJ L 327, 4.12.2002, p. 8

<sup>9</sup> Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC, OJ L 226, 10.9.2003, p. 4

**8. Groups of infringements Directive 2006/126/EC<sup>10</sup>  
(Driving licences requirements)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Art.1 and 4 of Directive 2006/126	Carrying passengers or goods without holding a valid driving licence	X		
2.	Art.1 Annex I	Using a driving licence which is damaged or unreadable or not in line with common model			X

**9. Groups of infringements against Directive 2008/68/EC<sup>11</sup>  
(Transport of dangerous goods by road)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Annex I, Section I.1 to Directive 2008/68/EC	Transporting dangerous goods that are prohibited for transport	X		
2.		Transporting dangerous goods in a prohibited or non-approved means of containment, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle	X		
3.		Transporting dangerous goods without identifying them on the vehicle as dangerous goods, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle	X		
4.		Leakage of dangerous substances		X	
5.		Carriage in bulk in a container which is not structurally serviceable		X	
6.		Carriage in a vehicle without an appropriate certificate of approval		X	
7.		Vehicle no longer complies with the approval standards and presents an immediate danger		X	
8.		The rules governing the securing and stowage of the load have not been complied with		X	
9.		The rules governing mixed loading of packages have not been complied with		X	
10.		The provisions limiting the quantities carried in one transport unit have not been complied with, including permissible degrees of filling tanks or packages;		X	
11.		Information relevant to the substance being carried enabling determination of level of seriousness of offence is missing (e.g. UN number, proper shipping name, packing group)		X	
12.		Driver does not hold a valid vocational training certificate		X	
13.		Fire or an unprotected light is being used		X	
14.		The ban on smoking is not being observed.		X	
15.		The vehicle is not properly supervised or parked			X
16.		The transport unit comprises more than one trailer/semi-trailer			X
17.		Vehicle no longer complies with the approval standards but does not present an immediate danger			X

<sup>10</sup> Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences, OJ L 403, 30.12.2006, p. 18

<sup>11</sup> Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods; OJ L 260, 30.9.2008, p. 13.



18.	The vehicle is not carrying operational fire extinguishers as required;			X
19.	The vehicle does not carry the equipment required in the ADR or in the instructions in writing			X
20.	Packages with damaged packaging, IBCs or large packaging or damaged uncleaned empty packaging are being carried			X
21.	Carriage of packaged goods in a container which is not structurally serviceable			X
22.	Tanks/tank containers (including ones that are empty and uncleaned) have not been closed properly			X
23.	Incorrect labelling, marking or placarding on the vehicle and/or containment			X
24.	There are no instructions in writing conforming to the ADR, or the instructions in writing are not relevant to the goods carried			X

Commission Directive 2004/112/EC, adapting Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road, contains in its Annex II a detailed classification of infringements against the relevant provisions, divided, according to their level of severity, into three risk categories: Risk category I, Risk category II, Risk category III.

The level of infringements against the provisions shall reflect the risk categories provided in Annex II to Directive 2004/112/EC, in such a way that **Risk category I = VSI** (except those infringements which are already defined as MSI in Annex IV to Regulation (EC) No 1071/2009), **Risk category II = SI**. Risk category III is equal to the level of minor infringement.

**This table covers only those infringements for which a carrier shall be held fully or partially liable.**

### **10. Groups of infringements against Regulation (EC) No 1072/2009<sup>12</sup> (Access to the international road haulage market)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
<b>Existence of Community Licence</b>					
1.	Art.3	Carrying goods without holding a valid Community licence	X		
2.	Art.4	The haulage undertaking or the driver unable, for objective reasons, to present the Community licence or the certified true copy to the inspecting officer		X	
<b>Driver attestation</b>					
3.	Art 5	Driving without holding a valid driver attestation		X	
4.		The driver unable, for objective reasons, to present the attestation to the inspecting officer			X

<sup>12</sup> Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market; OJ L 300, 14.11.2009, p. 72

**11. Groups of infringements against Regulation (EC) No 1073/2009<sup>13</sup>  
(Access to the market for coach and bus services)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
<b>Existence of the Community Licence</b>					
1.	Art. 4	Carrying passengers without holding a valid Community licence	X		
2.	Art. 4.3	The carrier or the driver unable, for objective reasons, to present the Community licence or the certified true copy to the inspecting officer		X	
<b>Authorisation for regular services</b>					
3.	Art. 5. and 6	Regular services without a valid authorisation		X	
4.		Stops in a MS without authorisation			X
<b>Authorisation for occasional services</b>					
5.	Art. 12.	Driving without holding a valid journey form			X

**12. Groups of infringements against Regulation (EC) No 1/2005<sup>14</sup>  
(Animal transport)**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Annex I, Chapter II,	Partitions are not strong enough to withstand the weight of animals		X	
2.	Annex I, Chapter III	Using loading or unloading ramps that has slippery surfaces, that lack lateral protections or that are too steep			X
3.		Using lifting platforms or upper floors that do not have safety barriers preventing animals from falling or escaping during loading and unloading operations			X
4.	Art. 7	Means of transport not approved for long journeys, or not approved for the type of animals being transported.		X	
5.	Art. 4, 5 and 6	Transporting without valid required documentation, journey log or transporter authorisation or certificate of competence			X

<sup>13</sup> Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006, OJ L 300, 14.11.2009, p. 88

<sup>14</sup> Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, OJ L 3, 5.1.2005, p. 1

## ANNEX II

### **FREQUENCY OF OCCURRENCE OF SERIOUS INFRINGEMENTS**

1. The serious (SI) and very serious (VSI) infringements listed in Annex I, when committed repeatedly shall be regarded as more serious by the competent authority of a Member State of establishment. When calculating the frequency of occurrence of repeated infringements Member States shall take into account the following factors:
  - (a) seriousness of infringement (SI or VSI)
  - (b) time (at least one rolling year from the date of a control)
  - (c) number of drivers used for the transport activities managed by the transport manager (average per year)
2. Taking into account the potential of creating a risk to road safety the maximum frequency of serious infringements beyond which they should be considered as more serious shall be established as follows:  
  
$$3 \text{ SI / per driver / per year} = 1 \text{ VSI}$$
  
$$3 \text{ VSI / per driver / per year} = \text{launch of a national procedure on good repute}$$
3. The number of infringements per driver per year is an average figure calculated by dividing the total number of all infringements of the same level of seriousness (SI or VSI) by the average number of drivers employed during the year. The frequency formula provides for a maximum threshold for occurrence of serious infringements beyond which they shall be considered more serious. Member States may establish stricter thresholds if envisaged in their national administrative procedure for assessing good repute.

### ANNEX III

The Annex III to Directive 2006/22/EC is replaced by the following:

#### (1) GROUPS OF INFRINGEMENTS AGAINST REGULATION (EC) NO 561/2006

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS <sup>15</sup>				
				MSI	VSI	SI	MI	
<b>A</b>	<b>Crew</b>							
A1	Art 5.1	Not respect minimum ages for conductors				X		
<b>B</b>	<b>Driving periods</b>							
B1	Art. 6.1.	Exceed daily driving time of 9h if possibilities to extend to 10h not allowed	9h<...<10h				X	
B2			10h≤...<11h			X		
B3			11h≤...		X			
B4		Exceed extended daily driving time of 10h if extension allowed	10h<...<11h				X	
B5			11h≤...<12h			X		
B6			12h≤...		X			
B6(a)		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				
B6(b)			15h≤... and no break / rest	X				
B7		Art. 6.2	Exceed weekly driving time	56h<...<60h				X
B8(a)				60h≤...<65h			X	
B8(b)	65h≤...<70h				X			

<sup>15</sup> MSI= Most Serious Infringements/ VSI = Very Serious Infringement / SI = Serious Infringement  
MI = Minor Infringement

B9			70h≤...	X			
B10	Art 6.3	Exceed accumulated driving time during 2 consecutive weeks	90h<...<100h				X
B11(a)			100h≤...<105h			X	
B11(b)			105h≤...<112h30		X		
B12			112h30≤...	X			
<b>C</b>	<b>Breaks</b>						
C1	Art. 7	Exceed uninterrupted driving time	4h30<...<5h				X
C2			5h≤...<6h			X	
C3			6h≤...		X		
<b>D</b>	<b>Rest Periods</b>						
D1	Art 8.2.	Insufficient daily rest period of less than 11h if reduced daily rest period not allowed	10h≤...<11h				X
D2			8h30≤...<10h			X	
D3			...<8h30		X		
D4		Insufficient reduced daily rest period of less than 9h if reduce allowed	8h≤...<9h				X
D5			7h≤...<8h			X	
D6			...<7h		X		
D7		Insufficient split daily rest period of less than 3h+9h	3h+[8h≤...<9h]				X
D8			3h+[7h≤...<8h]			X	
D9			3h+[...<7h]		X		
D10	Art. 8.5	Insufficient daily rest period of less than 9h for multi-manning	8h≤...<9h				X
D11			7h≤...<8h			X	
D12			...<7h		X		
D13	Art. 8.6	Insufficient reduced weekly resting period of less than 24 h	22h≤...<24h				X
D14			20h≤...<22h			X	
D15			...<20h		X		
D16		Insufficient weekly resting period of less than 45 h if reduced weekly resting time not allowed	42h≤...<45h				X
D17			36h≤...<42h			X	
D18			...<36h		X		
D 19	Art. 8.6(a)	Use of 12-day rule derogation not in accordance with the EU requirements			X		

<b>E</b>	<b>Types of payment</b>					
E1	Art. 10.1	Link between wage and distance travelled or amount of goods carried		X		
E2	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	

**(2) GROUPS OF INFRINGEMENTS AGAINST REGULATION (CE) No 3821/85**

No	LEGAL BASIS	TYPE OF INFRINGEMENTS	LEVEL OF SERIOUSNESS			
			MSI	VSI	SI	MI
<b>F</b>	<b>Installation of recording equipment</b>					
F1	Art. 3.1	No type approved recording equipment installed and used	X			
<b>G</b>	<b>Use of recording equipment, driver card or record sheet</b>					
G1	Art. 13	Recording equipment not correctly functioning (for example: recording equipment not properly inspected, calibrated and sealed )		X		
G2		Recording equipment improperly used (not using a valid driver card, voluntary abuse, ...)		X		
G3	Art. 14.1	Not carrying a sufficient number of record sheets			X	
G4		Model of record sheet not approved			X	
G5		Not carrying enough paper for printouts				X
G6	Art. 14.2	Undertaking not keeping record sheets, printouts and downloaded data		X		
G7	Art. 14.4	Driver holding more than one valid driver card		X		
G8	Art. 14.4	Use of driver card which is not the driver's own valid card	X			
G8(a)	Art. 14.4	Driving with a driver card which has been obtained on the basis of false declarations and/or forged documents	X			
G9	Art. 14.4	Use of defective or expired driver card		X		
G10	Art. 14.5	Recorded and stored data not available for at least 365 days		X		
G11	Art. 15.1	Use dirty or damaged sheets or driver cards and data legible				X

G12		Use dirty or damaged sheets or driver cards and data not legible		X			
G13		Failure to apply for replacement of damaged, malfunctioning, lost or stolen driver card within 7 calendar days			X		
G14	Art. 15.2	Incorrect use of record sheets/driver cards		X			
G15		Unauthorized withdrawal of sheets or driver card which has an impact on the record of relevant data		X			
G16		Unauthorized withdrawal of sheets or driver card without any impact on data recorded					X
G17		Record sheet or driver card used to cover a period longer than that for which it is intended but no data is lost					X
G18		Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X			
G19		Not using manual input when required to do so				X	
G20		Not using correct sheet or driver card not in the correct slot (multi-manning)				X	
G21	Art. 15.3	Time recorded on the sheet does not agree with official time of country of registration of the vehicle			X		
G22		Incorrect use of switch mechanism			X		
<b>H</b>	<b>Fill in information</b>						
H1	Art. 15.5	Surname missing on record sheet		X			
H2		First name missing on record sheet		X			
H3		Date of begin or end of use of the sheet missing			X		
H4		Place of begin or end of use of the sheet missing				X	
H5		Registration number missing on record sheet				X	
H6		Odometer reading (start) missing on record sheet			X		
H7		Odometer reading (end) missing on record sheet				X	
H8		Time of change of vehicle missing on record sheet				X	
H9	Art. 15.5 a	Symbol of country not entered in recording equipment				X	
<b>I</b>	<b>Producing information</b>						
I1	Art. 15.7	Refuse to be checked		X			

12	Art. 15.7	Unable to produce records of current day		X		
13		Unable to produce records of previous 28 days		X		
14		Unable to produce records of the driver card if the driver holds one		X		
15		Unable to produce manual records and printouts made during the current day and the previous 28 days		X		
16		Unable to produce driver card		X		
<b>J</b>	<b>Fraud</b>					
J1	Art 15.8	Falsify, suppress, destroy data recorded on record sheets, stored in the recording equipment or on the driver card or print-outs from the recording equipment	X			
J2		Manipulation of recording equipment, record sheet or driver card which may result in data and/or printouts information being falsified	X			
J3		Manipulation device that could be used to falsify data and/or printouts information present on vehicle (switch/wire...)	X			
<b>K</b>	<b>Breakdown</b>					
K1	Art. 16.1	Not repaired by an approved fitter or workshop		X		
K2		Not repaired en route			X	
<b>L</b>	<b>Manual input on printouts</b>					
L1	Art. 16.2	Driver not marking all information for the periods of time which are no longer recorded while recording equipment is unserviceable or malfunctioning		X		
L2		Driver card number and/or name and/or driving licence number missing on temporary sheet		X		
L3		Signature missing temporary sheet				X
L4	Art. 16.3	Lost or theft of driver card not formally declared to the competent authorities of the Member State where the theft occurred		X		