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COMMISSION STAFF WORKING DOCUMENT
Accompanying the

REPORT FROM THE COMMISSION TO THE EUROPEAN PALIAMENT AND THE COUNCIL
on the implementation in 2017-2018 of Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport and of Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities

(30th report from the Commission on the implementation of the social legislation relating to road transport)

{COM(2021) 610 final}

1. Social legislation in road transport – objectives and key provisions

The EU social rules in road transport are established by four interrelated acts: Regulation (EC) No 561/2006, which establishes rules on driving times, breaks and rest periods for professional drivers, Regulation (EU) No 165/2014 on recording equipment in road transport, Directive 2002/15/EC, which sets out complementary provisions on the organisation of the working time of persons performing mobile road transport activities and Directive 2006/22/EC, which determines minimum requirements for enforcement of these rules.

Regulation (EC) No 561/2006, also known as the Driving Time Regulation, applies to employed and self-employed drivers engaged in the carriage by road of goods where the maximum permissible mass of the vehicle exceeds 3.5 tonnes and of passengers by vehicles carrying more than nine persons including the driver. The maximum weekly driving time of a driver should not exceed 56 hours (provided that no more than 90 hours are driven in any two consecutive weeks). The total daily driving time should not exceed 9 hours, although twice a week it can be extended to 10 hours. Breaks should last for at least 45 minutes (which may be separated into a break of 15 minutes followed by 30 minutes) and should be taken not later than after 4.5 hours of driving. The daily rest period is determined at the level of minimum 11 hours, which can be reduced three times a week to 9 hours.

Regulation (EU) No 165/2014 on tachographs in road transport, also known as the Tachograph Regulation, sets out obligations and requirements in relation to the construction, installation, use, testing and control of tachographs used in road transport, in order to verify compliance with the provisions of Regulation (EC) No 561/2006. It also aims at reducing administrative burden and making fraud to the tachograph more difficult. The smart tachograph has to be fitted in vehicles registered for the first time as of 15 June 2019. It features a new set of advanced communication capabilities with respect to the current digital tachograph, such as satellite geo-localisation or short-range communication for the transmission of information to enforcement authorities. Those communication capabilities broaden the areas of enforcement where the tachograph is applied, extending it to, for instance, the control of cabotage operations or the application of the rules on the posting of drivers.

Directive 2002/15/EC, also known as the "Road Transport Working Time Directive", applies to mobile workers such as drivers, crew and other travelling staff, both with the employment or self-employment status. The Directive complements Regulation (EC) No 561/2006 by putting in place limitations on the maximum weekly and maximum average weekly working time of workers in the road transport sector as well as adequate breaks and night work provisions.

Working time is defined in the Directive as time devoted to all road transport activities, including driving, loading and unloading, assisting passengers boarding and disembarking from the vehicle, cleaning and technical maintenance and all other work intended to ensure the safety of transport operation. Specific time limits are set out in relation to weekly working time (excluding breaks and periods of availability) which amounts to maximum 48 hours a week, which may be extended to 60 hours, provided that over four months, an average of 48 hours a week is maintained. Moreover, a limitation to 10 hours on daily working time is introduced in case of night work. Each mobile worker is obliged to take a break after working

consecutively for 6 hours, which should be at least 30 minutes, if working hours range from six to nine hours and at least 45 minutes, if working time equals to more than nine hours.

Directive 2006/22/EC, also called the "Enforcement Directive", lays down rules to verify compliance and ensure application of rules for driving time and rest periods established by Regulation (EC) No 561/2006 and Regulation (EU) No 165/2014. The Directive promotes harmonised enforcement of the social rules in road transport by means of minimum requirements for the uniform and effective checks to be carried out by Member States. The minimum threshold of checks of the total number of days worked by drivers falling under the scope of Regulation (EC) No 561/2006 and Regulation (EU) No 165/2014 is set at 3 % from 2010. In addition, the total number of working days checked should be carried out in a proportional manner for checks at the roadside and at the premises of transport undertakings - 30 % and 50 % respectively. An obligation of minimum six concerted roadside checks per year undertaken by two or more enforcement authorities was introduced in order to encourage cooperation between Member States.

At the time of writing this report, Mobility Package I was adopted amending Regulation (EC) No 561/2006 and Regulation (EU) 165/2014[1], and introducing a Lex specialis on posting of drivers in the road transport sector[2]. Taking into account the date of application of the new provisions, the information on their implementation will be provided in the implementation report covering a period 2021-2022.

This Staff Working Document is accompanying the Report and provides more national figures and details as well as updates on other relevant aspects in the field.

2. Checks

The total number of working days checked in the EU continuously decreased since 2011-2012. However, the decrease by -5% in 2017-2018 is less apparent compared to the decrease of around -13% in the reporting period 2015-2016. Nevertheless, looking at the national figures the decrease of working days checked seemed to mainly result from the lower number of working days checked reported by France[3].

Overall, the majority of Member States performed significantly more working days checks than required. If 100% represents the minimum threshold percentage of 3%, then seven Member States performed significantly more checks than the threshold: Austria (10.1%), Latvia (9.9%), Bulgaria (9.6%), France (9.4%), Romania (9.3%), Portugal (9.3%), and

[1] 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. 1–16).

[2] Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49–65).

[3] France reported around 4 million less working days checked compared to the last report due to the reduction in checks carried out by the security forces of the Ministry of the Interior and less checks due to the impact of social movements in the last quarter of 2018.

Germany (9.2%)[4]. These Member States accounted for around one third of the working days checked in the EU (around 43 out of 125 million). Compared to the last report, Portugal and Romania increased the number of working days checked by more than 80% (from 6.7% to 9.3% in Portugal and from 6.9% to 9.3% in Romania).

Six Member States did not meet the minimum threshold, namely Denmark (2.9%), the Netherlands (1.5%), Finland (1.4%), Ireland (0.8%), Greece (0.7%), and Lithuania (0.2%). This is an increase since the last reporting period in which only three Member States did not meet the minimum threshold. Great decreases in the number of working days checked were observed in Ireland (-133%, i.e. from 4.8% to 0.8%) and Lithuania (-97%, i.e. from 3.1% to 0.2%).

Lithuania only included checks at the roadside, which may explain partly the significant overall decrease. Ireland had a significant increase in the number of vehicles subject to Regulation (EC) No 561/2006 with more than three times as many vehicles compared to the last reporting period. Finland did not include data from the national police in the standard reporting form, but based on additional data from the national police, customs and occupational health & safety authorities, they checked more than 1.7 million working days exceeding the 3 % threshold.

The Netherlands applied "monitoring based on trust", where a number of road transport undertakings have concluded an enforcement agreement with the Environment & Transport Inspectorate. The agreement covered over 2.4 million days worked by drivers during 2017-2018 in addition to the 877,454 working days checked by the Netherlands. By adding these figures together, the Netherlands meet the minimum threshold. The Dutch authorities informed the Commission that the continuous development and expansion of the risk analysis enables the Dutch inspectorates to focus its efforts on those road transport undertakings whose level of compliance is poor. Non-compliant undertakings will also fall under specialised enforcement subject to rigorously applied corrective procedure. This system will end in 2022 from when the focus is on having the right technology to better monitor and investigate drivers digitally onwards.

Directive 2006/22/EC also requires that at least 50% of the total number of working days checked should be done through checks at the premises of undertakings and at least 30% at the roadside. However, looking at the number of Member States, which have met the threshold, only the following eight Member States have the required balanced share between working days checked at the premises and at the roadside: Bulgaria (55% of working days checked at the premises), Cyprus (59%), Denmark (54%), Estonia (63%), Latvia (60%), Luxembourg (68%), Malta (63%), and Slovakia (57%). Bulgaria, Cyprus, Latvia, Luxembourg and Slovakia also met the ratio in the last reporting period[5]. Yet, this is an increase of two Member States compared to the last reporting period.

The increasing trend continues very modestly for the ratio of working days checked at the premises with the EU-average rising to 27% compared to 26% in 2015-2016, 23% in 2013-2014 and 18% in 2009-2010. The most significant improvements were reported by Denmark

[4] This has changed since last reporting period (2015-2016), when it was France, Germany, Bulgaria, Austria and Latvia.

[5] Bulgaria, Cyprus, Latvia, Luxembourg, Romania and Slovakia met the ratio in 2015-2016.

(from 39% to 54%) and Estonia (from 49% to 62%). Both Member States now meet the ratio. Also Greece (from 26% to 42%) and Hungary (from 13% to 36%) made significant improvements and are getting closer to the 50% ratio. On the other hand, the number of working days checked significantly decreased in Romania (from 51% to 17%) and they no longer meet the ratio.

Ireland (10%) and Finland (2%) are the only Member States, which have not met the threshold for roadside checks (30%). In Ireland, the reason seems to be that only few non-Irish, except British registered vehicles, are circulating on the Irish roads. In the case of Finland, this may be explained by the lack of reporting from the national police.

3. Checks compared to the number of enforcement officers and equipment to analyse tachographs

Based on the number of enforcement officers reported by Member States, the number of control officers involved in checks has slightly increased from 61,503 in 2015-2016 to 61,558 officers in 2017-2018[6]. The total number of enforcement officers trained to analyse the digital tachograph has continued to decrease by 9%, as well as the units of equipment provided to control officers to analyse the tachograph by 5.5% compared to the last report.

Table 1: Overview of national enforcement capacity in 2017-2018 per Member State

Member States	Control officers involved in checks	Control officers trained to analyse the digital tachograph	Units of equipment provided to control officers to analyse the tachograph
AT	1,150	1,150	485
BE	3,662	3,518	130
BG	157	157	220
HR	Not reported	Not reported	Not reported
CY	135	9	12
CZ	785	785	193
DK	70	70	35
EE	203	91	53
FI	730	450	75
FR	5,500	5,500	3,500
DE	16,420	3,114	2,450
EL	3,661	690	201
HU	500	460	250
IE[7]	16	16	16
IT	10,258	952	221
LV	26	26	20
LT	404	418	38
LU	18	18	9
MT	2	2	1
NL	200	300	65

[6] This does not include data from Croatia, who did not report on this subject.
[7] Ireland explained that these figures do not include members of the police force and solely refers to staff from the Road Safety Authority.

PL[8]	1,208	1,123	255
PT	14,106	1,781	343
RO	618	0	318
SK	38	38	40
SL	410	244	36
ES	498	386	445
SE	195	191	205
UK	588	297	310
Total	**61,558**	**21,786**	**9,677**

4. Roadside checks

In general, 33% of vehicles checked at the roadside are from another EU country, which is a 1% increase since 2015-2016. However, in some Member States the percentage of vehicles from another EU country constitutes more than half: namely Austria (66%), Belgium (57%), Denmark (51%), France (61%), Luxembourg (67%), the UK (54%), and the Netherlands (53%). These are the same Member States as named in the 2015-2016 report except from Denmark in which the share increased from 35 to 51%. The geographic location and volume of transit operations may in certain Member States play a factor. Member States whose share of checking vehicles registered in a non-EU country was the largest are Bulgaria (27%), Croatia (26%), Poland (25%), and Slovenia (22%). A complete overview per Member State can be found in Table 2 below.

Table 2: Share of checked vehicles at the roadside by country of registration

Member States	Nationals	Non-nationals	Third nationals
AT	30%	66%	4%
BE	35%	57%	7%
BG	63%	10%	27%
HR	62%	13%	26%
CY	99.7%	0.3%	0%
CZ	54%	41%	5%
DK	48%	51%	2%
EE	85%	12%	3%
FI[9]	-	-	-
FR	37%	61%	2%
DE	49%	45%	6%
EL	82%	12%	6%
HU	47%	42%	12%
IE	91%	9%	0%
IT	85%	14%	1%
LV	47%	38%	15%
LT	81%	19%	1%
LU	31%	67%	2%
MT	55%	45%	0%

[8] Poland explained that these figures do not include police officers involved in roadside checks.
[9] Finland did not report data from the national police, which may distort the data.

NL	45%	53%	3%
PL	52%	22%	25%
PT	94%	7%	0%
RO	84%	11%	5%
SK	46%	47%	7%
SL	33%	46%	22%
ES	89%	10%	0,5%
SE	50%	47%	3%
UK	43%	54%	3%
EU average	**58%**	**33%**	**9%**

5. Roadside checks – type of tachograph

According to Article 2 of Directive 2006/22/EC, the threshold of minimum checks of number of days worked by drivers of vehicles will be raised to 4% once 90% of vehicles checked are equipped with a digital tachograph.

Compared to the last report, the share of vehicles checked at the roadside that were equipped with the digital tachograph remained stable at the level of 71%[10]. There is therefore no base to raise the threshold of minimum checks to 4% for the time being. The highest share of digital tachograph (more than 80%) was found during roadside check in Austria (96%), Denmark (96%), Belgium (94%), Luxembourg (90%), Slovakia (91%), Sweden (89%), Netherlands (85%), Spain (84%), Germany (83%), and Czech Republic (82%). The number of Member States meeting the share of 90% digital tachographs has increased from one[11] to five since the last reporting period. In contrast, the lowest percentage of digital tachograph was reported in Greece (39%) and Cyprus (29%). Table 3 below provides a full overview.

Table 3: Overview of the number of vehicles stopped for roadside checks by type of tachograph

Member States	Analogue tachograph	% analogue	Digital tachograph	% digital
AT	9,835	4%	228,507	96%
BE	5,630	6%	96,512	94%
BG	30,750	20%	122,998	80%
HR	11,601	46%	13,704	54%
CY	3,496	71%	1,421	29%
CZ	18,706	18%	84,198	82%
DK	616	4%	16,677	96%
EE	2,423	43%	3,152	57%
FI[12]	-	-	-	-
FR	154,826	23%	508,307	77%
DE	218,378	17%	1,092,739	83%
EL	64,482	61%	42,042	39%
HU	23,191	27%	61,661	73%
IE	1,450	35%	2,638	65%

[10] This does not include data from Lithuania and Finland due to their incompleteness.
[11] Austria
[12] Data from Finland is not included due to its incompleteness.

IT	211,582	35%	393,946	65%
LV	7,523	33%	15,055	67%
LT[13]	-	-	-	-
LU	513	10%	4,671	90%
MT	8	28%	21	72%
NL	3,690	15%	20,139	85%
PL	125,619	32%	262,522	68%
PT	24,264	34%	47,690	66%
RO	143,286	33%	295,178	67%
SK	1,307	9%	12,674	91%
SL	3,953	21%	15,098	79%
ES	57,459	16%	304,827	84%
SE	5,040	11%	39,130	89%
UK	93,237	60%	63,259	40%
Total	**1,226,175**	**28%**	**3,754,008**	**71%**

6. Checks at the premises

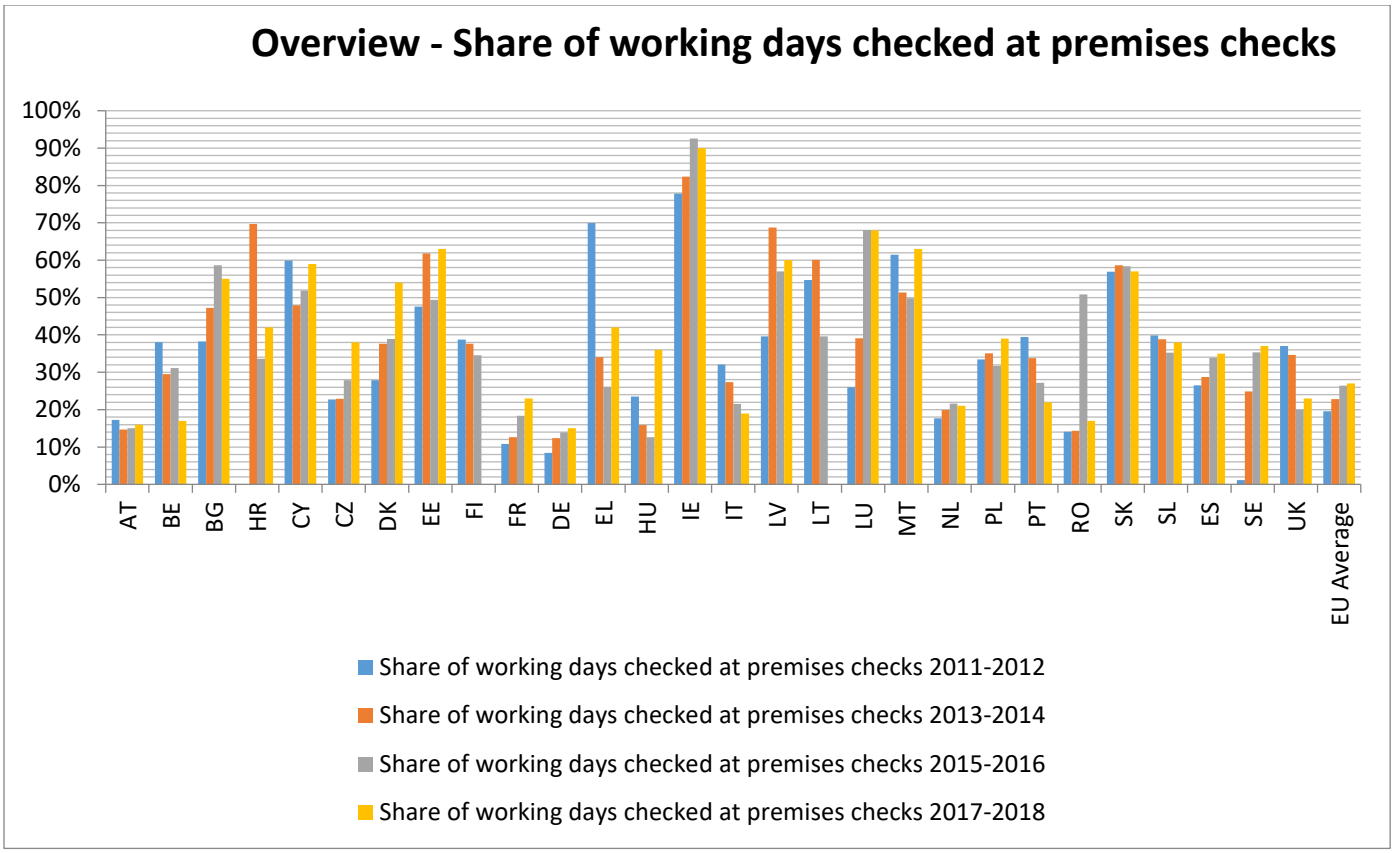
The total share of working days checked at premises increased by 14% to an EU average of 40%[14]. In total, Member States checked around 641,000 drivers during 2017-2018, which confirms a decreasing trend regarding the amount of drivers checked at the premises with a 3% decrease since 2015-2016. The number of drivers checked at the premises decreased in a majority of the Member States, especially in Hungary (-60%) and Luxembourg (-60%). In Luxembourg, this may be explained by a 43% decrease in the number of undertakings checked while in Hungary the number of undertakings checked increased by 87%. However, some Member States covered significantly more drivers during their checks at the premises, namely in Ireland (+493%), Greece (+111%), and Germany (+47%). In Ireland, 51% fewer undertakings were checked, but a significant increase in drivers checked is observed. Greece checked 293% more undertakings following a significant decrease in the last reporting period, while a slight decrease in undertakings checked was observed in Germany in 2017-2018.

The share of drivers checked at the premises compared to all drivers controlled at premises and roadside, continued to increase throughout the years with a share of 11% (10% share in 2015-2016, 9% 2013-2014, 7% in 2011-2013 and 5% in 2009-2010).

The offence rate per undertaking was extremely high in Latvia (yet, decreased from 553 to 341 offences per undertaking checked), Poland (increased from 81 to 141 offences), Germany (decreased from 65 to 61 offences), Luxembourg (increased from 39 to 48 offences), Sweden (decreased from 76 to 40 offences), and Ireland (increased from 30 to 46 offences).

[13] Data from Lithuania is not included due to its incompleteness.
[14] Data from Finland and Lithuania is not included due to incompleteness.

Figure 1: Share of working days checked at the premises in 2011-2018



7. Offences – detection rate

Like in the last reporting period, it is almost the same group of Member States who detected over 1/5 (81%) of all offences detected. These countries are Germany (29% of total offences), Poland (22%), Austria (10%), France (5%), Spain (5%), Latvia (5%), and Italy (5%). The average share of offences detected is around 57% at the roadside and 43% at the premises of undertakings, which is stable from the last report.

Significant disparities continue to exist between Member States[15]. Almost the same Member States are marking the lowest offence rate in the EU: 0.06 in Bulgaria, 0.63 in Hungary, 0.82 in France, 0.74 in Romania and 0.88 in Belgium, where a large decrease is observed[16]. Yet, they are among the Member States with the highest working days checked in the EU. At the same time, the following Member States have very high offence rates: 18.72 in Lithuania, 11.12 in Latvia, 8.67 in Cyprus, 7.83 in Poland, 7.15 in Austria, and 5.82[17] in Greece. Nevertheless, all the offence rates of these Member States slightly decreased compared to the last reporting period except from Poland, Lithuania, and Cyprus where they increased.

A significant increase in the offence rate can be observed in Cyprus (from 6.29 to 8.67), and Poland (from 6.01 to 7.83), whereas a drop was reported by Belgium (from 2.26 to 0.88), Greece (from 8.34 to 5.82), and Latvia (from 16.89 to 11.12) compared to the last report.

[15] Data from Finland and Lithuania is not included due to incompleteness.
[16] From 2.26 in the reporting period 2015-2016.
[17] Greece has however only checked 0.7% instead of the 3% of checked working days required.

Table 4 provides the breakdown of offences found at the roadside and premises in EU Member States in 2017-2018.

Table 4: Breakdown of offences found at the roadside and premises in 2017-2018

Checks at	Breaks	Rest periods	Driving time	Driving time records	Recording equipment	Lack/availability of records for other work
Roadside	15%	27%	18%	16%	17%	8%
Premises[18]	19%	16%	8%	40%	3%	3%
Total	17%	23%	14%	27%	12%	6%

Given these discrepancies, the enforcement practices across the EU should be aligned, leading to harmonised checks that have similar outcomes. The Commission is currently establishing a common training curriculum for EU enforcers to ensure that the training of enforcers in the EU adhere to a minimum standard, to ensure that enforcement practices are harmonised, and to integrate new elements from Mobility Package I. The European Labour Authority may also support Member States' education and training efforts.

8. Offences detected at the roadside

On average, 57% of offences were detected at the roadside in the EU, which is stable compared to 58% in the last report. The offence rates found at the roadside across the EU were very diverse. Compared to the EU average of 2.11 offences per 100 working days checked, offence rates are particularly high in Greece[19] (9.93), Austria (8.37) and Lithuania (10.23), while significantly more than the EU average in Slovakia (3.97), Portugal (3.57), Czech Republic (3.53), and Luxembourg (3.51). Very low offence rates at the roadside were reported in Bulgaria (0.11), Belgium (0.33), Latvia (0.36), Denmark (0.45) Hungary (0.59), and Romania (0.81). A considerable increase in detection rate was observed in Lithuania (from 2.33 to 10.23), and Luxembourg (1.45 to 3.51), while a decrease was observed in Greece (from 11.17 to 9.93), Belgium (1.38 to 0.33), and Poland (3.21 to 2.15).

In some of the Member States, the numbers of detected offences related to non-national vehicles prevail, namely in France (86%), Luxembourg (71%), Austria (68%), United Kingdom (66%), Sweden (65%), Bulgaria (62%), Denmark (61%), and Malta (64%). This may be explained by the fact that many Member States mentioned above[20] performed more controls on non-national vehicles.

9. Offences detected at the premises

Offence rates at the premises of undertakings in the EU are also significantly diverging[21]. Several Member States were well above the EU average of 4.35 with the highest detection rate in Latvia (18.34), Poland (16.68), Cyprus (13.55), the Netherlands (10.20), and Germany (8.94). This stands in contrast to countries with a very low detection rate such as Portugal (0)[22], Bulgaria (0.02), Greece (0.17), United Kingdom (0.31), Romania (0.40), France (0.49),

[18] Latvia did not provide categorisation of offences at the premises.
[19] Greece has not met the threshold of working days checked.
[20] France, Luxembourg, Austria, United Kingdom and Denmark.
[21] Lithuania is not included, as working days checked at premises were not reported.
[22] Portugal only registered offences at premises for carriage of passengers.

Denmark (0.53), Hungary (0.69), Austria (0.76), and Spain (0.83). These countries also reported low detection rates in the last report.

Compared to 2015-2016, there is a significant rise in detection rates in Cyprus (from 10.61 to 13.55) and Poland (12.04 to 16.68), while rates significantly decreased in Latvia (from 29.27 to 18.34), Germany (11.27 to 8.94), Luxembourg (6.69 to 4.40), and Italy (5.11 to 3.88).

10. Categories of infringements detected at roadside

The main types of infringements detected at the roadside by Member States remained on average relatively similar to the last report in terms of share of the total offences detected at the roadside with increases or decreases of no more than 1%.

Offences on the recording equipment, which comprise offences on incorrect functioning and misuse or manipulation of the tachograph, remained stable in 2017-2018. Manipulation and misuse of the tachograph constituted the majority of this category with 14% of the overall offences (16% in 2015-2016) at the roadside. In Germany (28%) and the UK (27%) manipulation and misuse even made up around a third of their offences found. Authorities informed the Commission that tachograph fraud and manipulation becomes increasingly sophisticated and more difficult to detect. Yet, the number of digital tachographs steadily increase with data stored in these, and thus reducing the possibility to conceal or falsify driver cards and commit fraud or manipulation, as reported by Slovak authorities.

Looking at national figures, the detected infringements on driving time were particularly high in Luxembourg (37%) and Finland (39%), while offences on breaks were high in Cyprus (significant increase from 31% to 48%), Ireland (significant increase from 30% to 47%), Sweden (38%) and Slovakia (35%). Offences in rest periods were significant in Belgium (43%), Croatia (41%), Malta (43%), Sweden (43%) and Spain (41%). In the Czech Republic (47%), Italy (46%) and Latvia (39%), the share of infringements related to driving records is significant compared to the majority of Member States. The EU average for infringements of providing records for other work is very low in the majority of Member States, but constitutes a greater share in the Member States such as Germany (14%), Estonia (14%), and Poland (12%).

11. Categories of infringements detected at premises

Compared to the last report, offences detected at the premises[23] of undertakings remain stable with a 1% decrease. Yet, the numbers decreased in far most Member States with significant decreases reported compared to the last reporting period by Portugal (-96%), United Kingdom (79%), and Latvia (63%). Large percentage increases were reported by Sweden (240%), Greece (195%), Malta (129%), and Poland (70%). Thus, the stable trend is mostly maintained based on 253,430 more infringements reported by Poland.

The number of infringements detected regarding breaks decreased from 26% to 19%, rest periods from 21% to 16%, and driving time from 10% to 8%. However, an increase was observed related to driving time records (from 33% to 40%), recording equipment and records for other work (both from 3% to 5%). An increasing number of infringements detected for driving time records, which have to be kept at least for one year by the transport undertakings,

[23] Latvia did not provide a full or no breakdown of total offences at the premises.

can also be observed since 2013-2014. This offence was significantly noticed at the premises of undertakings in Poland (83% of offences detected at premises), Italy (62%), and Hungary (46%). Italian authorities previously explained that the low fines for missing driving records would encourage drivers and operators to claim that they are not in possession of driving time records rather than risking to be fined for other offences that are subject to significantly higher fines.

A high number of driving time offences was detected in Greece (52%), Malta (50%)[24] Lithuania (33%), France (31%), and Portugal (30%). Offences on breaks were frequently detected in Ireland (59%), Denmark (49%), Cyprus (47%), Finland (46%), and Germany (45%). Infringements on rest periods constituted a great share in Estonia (56%), Romania (54%), Luxembourg (44%), Slovakia (44%), and Croatia (42%).

Offences on recording equipment constituted 3% and amounted to 49,308 in 2017-2018. Their national share was particularly high in United Kingdom (54%) and Netherlands (28%). Infringements on the lack and availability of records of other work were in particular high in Sweden where they constituted 33% of the national offences detected at the premises (decreased from 46%). The Swedish authorities explained that the numbers reported were higher because infringements related to not using manual input when required to do so were included[25].

12. Cooperation between Member States

According to Directive 2006/22/EC, Member States are obliged to undertake no less than six concerted roadside checks per year with at least one other Member State. Eight Member States[26] did not provide information on the number of concerted checks, while three others did not provide any information about concerted checks at all[27]. Out of the 17 Member States that did provide information on checks, 12 Member States[28] met the required number of concerted checks per year. Thus, both the number of Member States providing data and that met the required number of concerted checks has decreased.

There are irregularities due to the fragmented data submitted. Some Member States include the total amount of concerted checks over a two-year period, which does not make it possible to conclude whether these Member States comply with the obligation to organise at least six concerted checks per year.

Most Member States participated in concerted checks through the European Traffic Police Network (TISPOL) and Euro Control Route (ECR) cooperation.

Table 5 below presents the number of concerted checks and exchange of experience carried-out by Member States in 2017-2018. It also provides an overview of the focus of these concerted checks and exchange of experience, as well as which Member States cooperated.

[24] Out of 16 offences at premises reported.
[25] Reference is made to H16 in the appendix III of Regulation (EU) No 2016/403
[26] Denmark, Finland, France, Italy, Netherlands, Portugal, Sweden and Slovakia.
[27] Croatia, Cyprus, and Greece.
[28] Austria, Czech Republic, Germany, Hungary, Ireland, Lithuania, Luxembourg, Netherlands, Poland, Romania, Spain and UK.

Some Member States reported that concerted checks contribute to knowledge-sharing, and allows for reviewing and harmonising interpretations of provisions in European legislation[29].

Table 5: Overview of concerted checks per Member States

Austria	Concerted checks: • 6 a year, ECR/TIPSOL Member States. Exchange of experience and data: • 5 bilateral, 3 multilateral exchanges about driving time checks, manipulation of recording equipment, technical checks, securing of loads with ECR/TIPSOL Member States.
Belgium	Concerted checks: 2017: • 5 concerted checks with ECR member countries. 2018: • 7 concerted checks with ECR member countries. Exchange of information and experience in 2017-2018: • Sharing of information and good practices within ECR
Bulgaria	2017: Concerted checks: • 2 joint checks with Romanian control bodies (ARR) in Romania and Bulgaria. Exchange of information: • Exchange of information on detected violations committed by Bulgarian drivers in Germany, Hungary, Austria, Spain, United Kingdom, Italy, Latvia, Romania and Slovenia. 2018: Concerted checks: • 2 joint checks with Romanian control bodies (ARR) in Romania and Bulgaria. Exchange of information and experience: • Exchange of information on detected violations committed by Bulgarian drivers in Germany, Hungary, Austria, Spain, United Kingdom, Italy, Latvia, Romania and Slovenia.
Croatia	No information provided
Cyprus	No information provided
Czech Republic	2017: Concerted checks: • 16 joint international controls of which 6 were hosted in Czech Republic. The controls were completed with Germany, Slovakia, Austria, and Slovenia.

[29] Slovakia.

	Exchange of experience and information: • Participation in 7 exchanges of which 1 was in Czech Republic. The exchanges were with Poland, Germany, Slovakia, Belgium, the Netherlands and the United Kingdom. 2018: Concerted checks: • 8 joint international controls of which 3 were hosted in Czech Republic. The controls were completed with Germany, Slovakia, Hungary, Slovenia and Ukraine. Exchange of experience and information: • Participation in 10 exchanges with Germany, Slovakia, Belgium, Netherlands and the United Kingdom.
Denmark	Concerted checks in 2017-2018: • The National Police participated in the concerted checks arranged by TISPOL. • The Danish Police also held joint controls with Germany. • The Danish Police held 10 heavy vehicle controls with Swedish authorities. Exchange of experience and information: • The National Police exchanges information concerning inspection procedures, data, etc., with other Member States upon request. It also asks other Member States about their inspection procedures, etc., when needed.
Estonia	Concerted checks: 2017: • 2 common roadside checks with the Latvian enforcement authorities and with the Finnish Police. 2018: • 2 common roadside checks with the Latvian enforcement authorities and with the Finnish Police. Exchange of experience: • Participation in the International and national conference (5. IERFA 2017) on “social rules in road transport” at Oberwolfach, Germany in March 2017. • Participation in the International and national conference (6. IERFA 2018) on “social rules in road transport” at Oberwolfach, Germany in March 2018. • Participation in ECR training in Germany in June 2018.
Finland	No information provided
France	Concerted checks in 2017-2018: Every year, within the framework of the ECR, coordinated monitoring weeks with specific topics are organised. In 2017 and 2018, the 14 weeks of coordinated checks alternated between: • Tachograph fraud and anti-pollution devices (3 periods)

	• Technical roadside inspection • Transport of dangerous goods • Passenger transport France participated in all weeks of planned inspections. <u>Exchange of experience and information in 2017-18:</u> • 2 bilateral cooperation sessions with Germany. • 2 multilateral cooperation and multilateral exchange sessions of ECR. • 3 sessions organised by the Netherlands (Leiden in 2017), Poland (Bydgoszcz in 2018) and the United Kingdom (Cardington in 2018). • 2 training sessions on tachograph fraud organised by TISPOL. • The 'tchy work group' (TWG) and the ADR working group on the transport of dangerous goods.
Germany	<u>Concerted checks in 2017-2018:</u> • Total of 63 joint checks of which 13 involved TISPOL.
Greece	No information provided
Hungary	<u>2017-18:</u> <u>Concerted checks:</u> • 11 checks with ECR Members. • 9 TISPOL inspections. <u>Exchange of experience and information:</u> • 4 TISPOL events. • 6 bilateral and multilateral events in six cases cooperating with Poland, Czech Republic, Slovakia, Slovenia, Romania and Croatia.
Ireland	<u>2017:</u> <u>Concerted checks:</u> • 8 checks with the United Kingdom & Northern Ireland. <u>2018:</u> <u>Concerted checks</u>: • 8 checks with the United Kingdom & Northern Ireland. <u>Exchange of experience in 2017-18</u>: • 4-5 exchanges by ER.
Italy	<u>Concerted checks in 2017:</u> The Traffic Police participated in the joint European checking and safety campaigns on the carriage of goods and passengers and conducted 'thematic' campaigns across Europe, as a part of the activities organised by TISPOL. As a part of the joint European 'Truck and Bus' campaign, three 'Truck and Bus' operations were carried out in Italy in 2017, in February, July and October, during which 3087 offences were detected relating to driving time, rest breaks and the proper functioning of tachographs.

	Concerted checks in 2018: The Traffic Police, as part of the activities organised by TISPOL, participated in joint European checking 10 times, as well as in safety campaigns on the carriage of goods and passengers. As a part of the joint European 'Truck and Bus' campaign, three 'Truck and Bus' operations were carried out in Italy in 2018, in February, July and October, during which 2780 offences were detected related to driving time, rest breaks and the proper functioning of tachographs.
Latvia	2017: Concerted checks: • 3 roadside checks with Lithuania. • 1 road check with Estonia. 2018: Concerted checks: • 9 roadside checks with Lithuania. • 1 road check with Estonia.
Lithuania	Concerted checks in 2017-2018: • 18 joint vehicle-checking exercises were carried out with officials from the Polish and Latvian inspectorates. Joint checks were carried out with Polish officials in the Kalvarija (LT) – Budzisko (PL) border zone, and with officials from the Latvian inspection body in the Saločiai (LT) – Grenctāle (LV), Smėlynė (LT) – Medumi (LV), Obeliai (LT) – Subate (LV), Būtingė (LT) – Rucava (LV) and Kalviai (LT) – Meitene (LV) border zones.
Luxembourg	2017: Concerted checks: • 20 checks at Dudelange-Zouffgen (LU-FR). • 3 Benelux exercises with Belgium and the Netherlands. • 3 controls near Trier (Markusberg) with Germany. • 2 other controls with Germany. Exchange of experience and information: • 1 International exchange of experience with Germany. • 1 ECR Multilateral Exchange with France. • 2 Master classes with Germany. 2018: Concerted checks: • 19 inspections at Dudelange-Zouffgen route with France. • 3 *BENELUX* exercises with Belgium and the Netherlands. • 1 operation in *Hazeldonk* with Belgium and the Netherlands. • 4 controls near Trier (Markusberg) with Germany. Exchange of experience and information: • 1 Demonstration of roadside check on the transport of dangerous goods

	with Belgium. • 1 International Exchange of Experience on social rules for road transport with Germany. • 1 Master Class ADRs with Germany. • 1 ADR Cross border Enforcement with the Netherlands. • 1 Manipulation Tacho fraud with Poland. • 1 ECR HARMONIE ADR Germany. • 1 Master Class TACHO fraud with Germany.
Malta	No concerted check carried out in the reporting period.
Netherlands	2017: Concerted checks: • 8 Cross-border checks with ECR (6 to 12 participants from Netherlands). • 3 Benelux checks (6 to 12 participants from the Netherlands). Exchange of experience and information: • Multilateral exchanges with France (2 participants from the Netherlands) and a multilateral exchange in the Netherlands (4 participants from the Netherlands). • Bilateral exchange with Germany in Germany (6 participants from the Netherlands). 2018: Concerted checks: • 8 Cross-border checks with ECR (6 to 12 participants from Netherlands). • 3 Benelux checks (6 to 12 participants from the Netherlands). Exchange of experience: • Multilateral exchanges with France, Poland, UK, and Germany (2 participants from the Netherlands for all). • Bilateral exchange with Germany in the Netherlands (6 participants from the Netherlands).
Poland	Concerted checks: 2017: • 7 concerted inspections organised by ECR. 2018: • 7 concerted inspections. Exchange of experience and information in 2017-18: Poland participated at international exchanges on tachograph fraud, passenger transport, secure loading, overloading, social dumping, technical checks of vehicles, etc. in both 2017 and 2018. Poland also participated at the Master Classes on tachograph, as well training workshops on transport of dangerous goods.

Portugal	Portugal has participated in the relevant meetings organised by the competent bodies at Community level.
Romania	2017: Concerted checks: • 7 concerted checks organised by ECR in which Member State authorities from Austria, Netherlands, France, Belgium, Poland, United Kingdom, Ireland, Lithuania, Czech Republic, Slovenia, Germany and Romania participated. • 4 bilateral roadside checks organised with Hungary and Bulgaria. Exchange of experience and information: • 1 multilateral event in France organised by ECR. • 3 workshops in Belgium organised by ECR. • 2 workshops on Enforcement in Belgium organised by CORTE. • 1 master class in Germany. 2018: Concerted checks: • 7 concerted checks organised by ECR with participants from Belgium, Croatia, Ireland, Germany, Netherlands, France, Spain, Austria, Poland, Hungary, United Kingdom, Bulgaria, Lithuania, Luxembourg, Czech, Slovenia and Romania. • 4 bilateral roadside checks organised with Hungary and Bulgaria. Exchange of experience and information: • 1 multilateral event in Germany by ECR. • 6 workshops in Belgium organised by ECR. • 1 workshop on Enforcement in Belgium organised by CORTE. • 2 master classes organised in Germany by ECR.
Slovakia	2017-2018: Concerted checks: • Joint control actions were carried out with the Czech Republic, Hungary, and Poland. The inspectors controlled social legislation in transport with the Czech Republic and Poland, and detected tampering with recording equipment with Hungary. EU Member States with which Slovakia does not share borders have also participated in the joint inspections. • Every year in September, the NIP organises three days of international monitoring of the social legislation in transport with participation of Slovakia, the Czech Republic, Hungary, Poland, as well as Ukraine. Around 30 participants were involved in the international control action and carry out checks at two checkpoints.
Slovenia	2017-2018: Concerted checks: • 3 concerted checks with Hungary and Croatia in each year. Exchange of experience and information: • Slovenia has a status of an Active observer in the ECR organisation. In

	2017 and 2018 inspectors participated in Multilateral concerted checks in other ECR member countries.
Spain	2017: • 7 ECR coordinated controls. 2018: • 7 ECR coordinated controls. • 3 bilateral roadside checks together with Portugal about driving and rest times, overloading and others.
Sweden	2017: Exchange of experience: • DotcomWaste in Rome in September 2017. • Collaborated with Norway on Operation Midnight Sun. • Exchanges with Finland when needed. 2018: Concerted checks: • Joint Nordic check in Norway. Exchange of experience: • Impel Waste in Vienna. • Tispol Road Policing Seminar in Germany. • Operation Midnight Sun with Norway. • Visit to Gdansk in Poland. • Exchanges with Finland when needed.
United Kingdom	2017: Concerted checks: • 6 checks with ECR members. Exchange of experience and information: • The UK hosted a tri-lateral exchange in Chester in October 2017 between themselves, Northern Ireland and Ireland. 2018: Concerted checks: • 7 checks with ECR members. Exchange of experience and information: • The UK hosted a multi-lateral exchange at Cardington in September attended by the Netherlands, Germany, Czech Republic, Belgium, Ireland and France.

13. Penalties

Article 19 of Regulation (EC) No 561/2006 sets out that Member States shall lay down rules on penalties that are to be effective, proportionate, dissuasive and non-discriminatory. Member States shall notify the Commission of these measures and the rules on penalties.

Most Member States reported in the area[30] and many reported no changes in 2017-2018[31]. For the current report, the Commission has been notified of the following:

Some Member States made changes to legislation to harmonise categories of infringements to Commission Regulation (EU) 2016/403[32]. In this manner, some penalties and categorisations of Very Serious Infringements (VSI) and Most Serious Infringements (MSI) were changed in e.g. Czech Republic, Denmark, Sweden, and Hungary.

The Czech Republic reduced the fines imposed and changed the categorisation of offences in 2017. For example, they impose fines of up to CZK 350,000 (approx. EUR 13,562) based on individual assessment of cases for tachograph related infringements.

Denmark reduced fines to 50 DKK for each time that the limit on driving time is exceeded by 1% for the driver and twice as much for the company, i.e. DKK 100 for each per cent. There is a scope for further reduction of the fines for infringement of Article 7, when there are mitigating circumstances. The changes were made on account of the particular interplay between driving times and breaks in the article, which means that taking break only a few minutes shorter than required can result in the maximum driving time being significantly exceeded. Denmark has a graded fines system in which the fee for the driver must be graduated with fees for minor infringements being DKK 2,000 and for very serious infringements DKK 4,000.

In Sweden, administrative fees were differentiated in accordance with the categorisation in Regulation (EU) 2016/403 and penalty fees were adjusted. Additionally, accumulated penalties regarding VSI and MSI under Regulation (EC) 561/2006 were introduced and adjusted. The maximum amount of penalty fees that can be imposed on a company was changed from 200,000 or equivalent to 10% of the company's annual revenue to 800,000 SEK or equivalent to 1% of the annual revenue.

Member States such as Bulgaria, Sweden and Hungary introduced increased penalty fees. The Bulgarian authorities comment that these increased sanctions have stronger deterrent effect, leading to a reduction in traffic offenses and an increase in road safety.

For example in Sweden, the accumulated penalties result in higher sanction fees depending on to what extent a driver breaks a rule. However, VSI and MSI have roughly the same fines, since, according to Swedish legislation, no individual driver should receive a fine exceeding SEK 10,000.

Moreover, Estonia made a number of changes to legislation regarding fines for violating requirements to tachographs, recording sheets and driver cards. Austria also made changes to legislation regarding working and rest times.

[30] Croatia, Germany, Greece, Malta, and Poland. These countries also reported changes: Austria, Bulgaria, Czech Republic, Denmark, Estonia, Hungary, Sweden

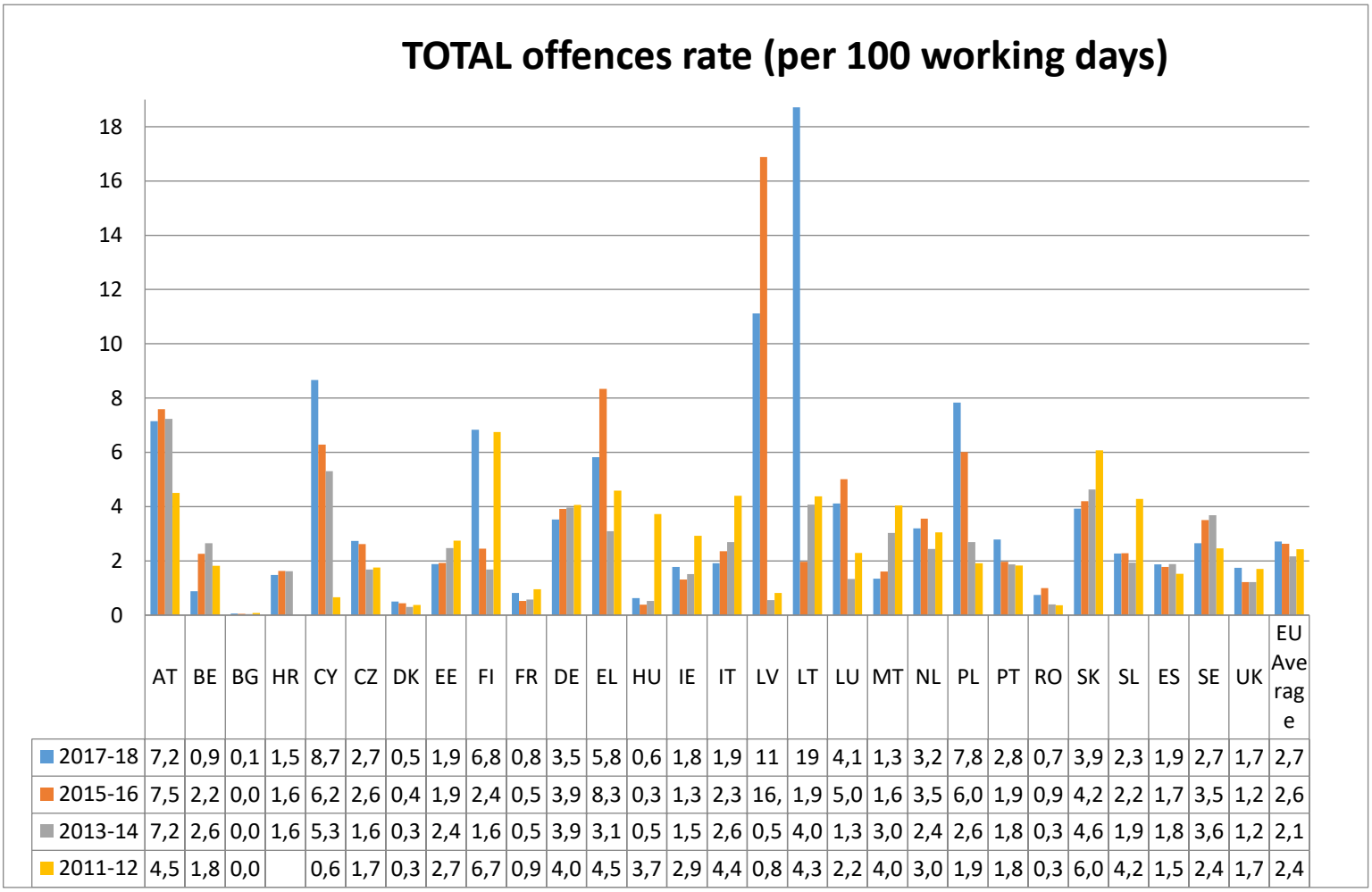
[31] Belgium, Cyprus, Finland, France, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Portugal, Romania, Slovakia, Slovenia, and United Kingdom.

[32] Commission Regulation (EU) 2016/403 of 18 March 2016 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

At the time of writing this report, a new Article 19(1) of Regulation (EC) No 561/2006 has been introduced with Mobility Package I. According to this Article, Member States are obliged to inform the Commission about changes to penalties, and the Commission is required to publish this information on a dedicated website in all official EU languages[33].

[33] Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 article 19(1).

Fig. 2: Offence rate at the roadside and premises checks by Member States in 2011-2018



	AT	BE	BG	HR	CY	CZ	DK	EE	FI	FR	DE	EL	HU	IE	IT	LV	LT	LU	MT	NL	PL	PT	RO	SK	SL	ES	SE	UK	EU Average
2017-18	7,2	0,9	0,1	1,5	8,7	2,7	0,5	1,9	6,8	0,8	3,5	5,8	0,6	1,8	1,9	11	19	4,1	1,3	3,2	7,8	2,8	0,7	3,9	2,3	1,9	2,7	1,7	2,7
2015-16	7,5	2,2	0,0	1,6	6,2	2,6	0,4	1,9	2,4	0,5	3,9	8,3	0,3	1,3	2,3	16,	1,9	5,0	1,6	3,5	6,0	1,9	0,9	4,2	2,2	1,7	3,5	1,2	2,6
2013-14	7,2	2,6	0,0	1,6	5,3	1,6	0,3	2,4	1,6	0,5	3,9	3,1	0,5	1,5	2,6	0,5	4,0	1,3	3,0	2,4	2,6	1,8	0,3	4,6	1,9	1,8	3,6	1,2	2,1
2011-12	4,5	1,8	0,0		0,6	1,7	0,3	2,7	6,7	0,9	4,0	4,5	3,7	2,9	4,4	0,8	4,3	2,2	4,0	3,0	1,9	1,8	0,3	6,0	4,2	1,5	2,4	1,7	2,4

14. Exceptions granted by Member States

According to Article 13 of Regulation (EC) No 561/2006, Member States may grant exceptions from the application of provisions on driving times, breaks and rest periods, provided that certain specific conditions are met and that the overall objectives of the Regulation are not prejudiced. Member States are obliged to inform the Commission of the exceptions granted.

The table below illustrates the exceptions, which have been introduced since the entry into force of Regulation (EC) No 561/2006. The information is also available on the Commission's website[34].

[34] https://ec.europa.eu/transport/sites/transport/files/national_exceptions_regulation_2006_561.pdf

National exceptions Regulation (EC) No 561/2006																											
	Austria	**Belgium**	**Bulgaria**	**Croatia**	**Cyprus**	**Czech Republic**	**Denmark**	**Estonia**	**Finland**	**France**	**Germany**	**Greece**	**Hungary**	**Ireland**	**Italy**	**Latvia**	**Lithuania**	**Luxembourg**	**Malta**	**Netherlands**	**Poland**	**Portugal**	**Romania**	**Slovakia**	**Slovenia**	**Spain**	**Sweden**	**United Kingdom**
13.1 a: non-competing public authorities[1]	X	X		X	X	X	X			X	X		X	X		X	X			X	X		X	X	X	X		X[1]
13.1 b: agricultural etc. own activity < 100 km[2]	X	X	X	X	X	X	X	X[2]	X	X[2]	X		X	X		X	X			X	X	X	X	X	X[2]	X[2]	X	X[2]
13.1 c:agricultural/forestry tractors <100 km[3]	X	X	X	X	X	X	X	X		X	X		X	X		X	X	X			X	X	X	X	X[3]	X	X	X
13.1 d: <7,5 tons universal services <100 km[4]		X[4]	X[4]	X[4]	X[4]	X[4]	X		X[4]	X[4]	X		X[4]	X	X[4]	X[4]	X[4]	X[4]		X[4]	X[4]	X[4]	X	X[4]	X	X[4]		X[4]
13.1 e: operating on islands <2300 square km[5]				X	X	X	X		X	X[5]	X			X					X		X	X				X[5]	X	X
13.1 f: <7,5 t <100 km gas/ electricity[6]				X[6]	X[6]	X[6]	X	X[6]	X[6]	X[6]	X		X[6]	X			X[6]				X[6]	X[6]	X	X[6]	X	X[6]		X
13.1 g: instruction/examination driving licence/CPC[7]		X		X		X	X	X	X		X			X	X[7]	X	X	X[7]		X	X	X		X	X	X	X	X
13.1 h: sewerage/flood protection/water etc[8]	X[8]	X		X	X	X	X	X	X	X[8]	X		X	X	X	X	X	X		X	X	X	X	X	X	X	X	X
13.1 i: non-comm. passenger transp. between 10-17 seats[9]	X	X		X	X	X	X	X[9]	X	X[9]	X		X	X		X	X				X	X		X			X	X
13.1 j: circus/funfair[10]	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X		X	X	X	X	X	X	X[10]	X	X
13.1 k: mobile	X	X		X	X	X	X		X	X	X		X	X		X	X			X	X	X	X	X	X	X		X

projects for education																													
13.1 l: milk/animal feed from/to farms[11]	X[11]	X		X	X	X	X	X[11]	X	X[11]	X[11]		X	X	X	X[11]	X[11]	X		X	X	X	X	X	X	X[11]	X	X
13.1 m: transporting money/ valuables[12]	X[12]	X	X	X	X	X	X		X	X	X		X	X[12]		X	X			X	X	X	X	X	X	X		
13.1 n: animal waste or carcasses[13]		X		X	X	X	X	X	X	X	X[13]		X	X		X	X			X	X	X	X	X	X		X	X
13.1 o: hub facilities[14]	X	X	X	X	X	X	X		X	X	X		X	X		X	X			X[14]	X	X	X	X	X	X		X
13.1 p: live animals farms -> markets and vice versa<100km[15]	X	X[15]		X[15]	X[15]	X[15]	X	X[15]	X[15]	X[15]	X		X[15]	X		X[15]	X[15]			X[15]	X[15]	X[15]	X	X[15]	X	X[15]	X[15]	X

1. The following Member State introduced additional restrictions:
    a. The United Kingdom: a vehicle does not fall within the description specified unless the vehicle:

       (a) is being used for the provision of ambulance services- (i) by a relevant National Health Service (NHS) body, or (ii) in pursuance of arrangements made by or at the request of a relevant NHS body, or made with the Secretary of State or with the Welsh or Scottish Ministers;
       (b) is being used for the transport of organs, blood, equipment, medical supplies or personnel - (i) by a relevant NHS body, or (ii) in pursuance of arrangements of the kind mentioned in paragraph (a)(ii)
       (c) is being used by a local authority to provide, in exercise of social services functions - (i) services for elderly people, or (ii) services for persons to whom section 29 of the National Assistance Act 1948 (welfare arrangement for physically and mentally handicapped persons) applies;
       (d) is being used by Her Majesty's Coastguard, a general lighthouse authority or a local lighthouse authority;
       (e) is being used for the purpose of maintaining railways by the British Railways Board, any holder of a network licence (within the meaning of Part 1 of the Railways Act 1993) which is a company wholly owned by the Crown (within the meaning of that Act), Transport for London, any wholly owned subsidiary of Transport for London, a Passenger Transport Executive or a local authority
       (f) is being used by the British Waterways Board for the purpose of maintaining navigable waterways
2. The following Member States introduced additional restrictions:
    a. Estonia - within a radius of 50 km of the place where the vehicle is usually based, including towns within this area
    b. France - only vehicles or combinations of vehicles up to 7,5 tonnes and only within a radius of 50 km
    c. Slovenia – within a radius of up to 50 km
    d. Spain – agriculture etc. own activity within a range < 50 km
    e. The United Kingdom - a vehicle which is being used by a fishery undertaking does not fall within the description specified unless the vehicle is being used:
       (a) to carry live fish, or

(b) to carry a catch of fish from the place of landing to a place where it is to be processed

3. The following Member States introduced additional restrictions:
    a. Slovenia - within a radius of up to 50 km
4. The following Member States introduced additional restrictions:
    a. Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Finland, France, Hungary, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Spain – within a radius < 50km
    b. The United Kingdom – vehicles between 3.5 - 7.5 tonnes used by universal service providers within a 50 km radius of the base of the undertaking require a tachograph
5. The following Member States introduced additional restrictions:
    a. France - operating on islands <400 square km
    b. Spain – operating on islands < 250 square km
6. The following Member States introduced additional restrictions:
    a. Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Lithuania, Poland, Portugal, Slovakia, Spain – within a radius < 50km
7. The following Member States introduced additional restrictions:
    a. Italy - it refers only to the obligation of equipping and using tachograph
    b. Luxembourg - exception only for the (learning) driver, instructor must respect Regulation (EC) No 561/20006
8. The following Member States introduced additional restrictions:
    a. Austria:
    (a) vehicles used by the regional authorities' road construction offices and driven by employees of the provinces or municipalities are entirely exempted
    (b) vehicles used in connection with sewerage, flood protection, water, gas and electricity supply, telegraph and telephone services, radio and television broadcasting, and the detection of radio or television transmitters or receivers are entirely exempted where driving of vehicles does not constitute the driver's main activity
    (c) vehicles used by household refuse collection authorities are exempted only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006
    (d) vehicles used in winter by road construction offices, where not covered by the exemption under point 9 a.(a), are exempted only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006
    b. France - for door-to-door household refuse collection and disposal, only within a radius of 100 km
9. The following Member States introduced additional restrictions:
    a. Estonia - owner/authorised user of a vehicle with 10-17 seats who is a parent of 4/more children, respective entry made on a registration certificate of the vehicle and the vehicle is used for non-commercial passenger transport
    b. France - not for the transport of children
10. The following Member State introduced additional restrictions:
    a. Spain - only when own activity
11. The following Member States introduced additional restrictions:
    a. Austria - vehicles used to collect raw milk from farms exempted only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006

b. Estonia, Latvia and Lithuania, as of 1/01/2008, mutually apply the exception from Articles 5 to 9 to vehicles used for milk collection from farms,...etc., only in cases where the service radius does not exceed 100 km
c. France - within a radius of up to 150 km of the base of the undertaking
d. Germany – within a radius of 100km
e. Spain – milk/animal feed from /to farms within a range < 100 km

12. The following Member States introduced additional restrictions:
    a. Austria – exception only from the rules on breaks under Article 7 of Regulation (EC) No 561/2006
    b. Ireland - vehicles specially designed for mobile banking, exchange and saving transactions
13. The following Member State introduced additional restrictions:
    a. Germany - within a radius of up to 250 km of the base of the undertaking
14. The following Member State introduced additional restrictions:
    a. The Netherlands – on or between hub facilities within a range of 5 km
15. The following Member State introduced additional restrictions:
    a. Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovakia, Spain, Sweden – within a radius < 50km

15. Comments and proposals

A number of Member States provided comments and proposals related to the enforcement of the EU road transport social rules.

Some Member States referred to the training of enforcers at national level with comments from Austria, Portugal, Greece and Italy. Austrian authorities shared the fact that the training programme of their Federal Ministry of the Interior and the Federal Ministry of Labour, Social Affairs and Consumer Protection includes regular courses for the inspection bodies. This covers social legislation and the detection of manipulation based on the TRACE project[35]. Austria introduced further training of officers in September 2016, while Portuguese authorities await approval of their training programme at the time of reporting.

Member States introduced new systems to check compliance. Luxembourg introduced a specific system for driving times and rest periods for drivers of vehicles used for carriage of passengers, while the Netherlands brought attention to further knowledge enrichment and, where appropriate, purchased materials. The Netherlands focuses on attaining the right technology e.g. on desk tacho in order to better monitor and investigate more drivers digitally in the beginning of 2022. The recently adopted Mobility Package I shall encourage further harmonisation of enforcement. The Commission will also elaborate common criteria for training of enforcers across the EU, which would allow for a more consistent approach to enforcement throughout the EU.

Italy and Slovakia consider that the digitalisation of tachographs will facilitate the enforcement of social legislation. Indeed, Member States reported that the data recorded in the digital tachographs significantly reduces the possibility of concealing or falsifying and to a greater degree forces the drivers to comply with the social legislation. The new smart tachograph 2, whose technical specifications should be adopted in 2021, will allow for the recording of even more data to facilitate enforcement of the new social legislation, such as border crossings and loading and unloading. This combined with increased awareness, should lead to better and smarter enforcement of the social legislation in road transport. Other Member States reported that increasing the amount of sanctions would have a deterrent effect and would result in less offences.

Italian authorities reported difficulties due to the complexity and detailed rules of the controls, which entails a considerable effort with extensive human and material resources. They examine the challenges in reaching the required ratio of checks at the premises.

Swedish authorities commented on the content of this biennial report. They emphasised that the report should reflect all infringements in accordance with appendix III of Regulation (EU) No 2016/403, as infringements towards other specific articles are not included, e.g. with reference to the number of infringements on the availability of records of other work.

16. Interpretation of Regulation (EC) No 561/2006 and Directive 2002/15/EC

In the recent years, the Court of Justice of the European Union (CJEU) shed light on interpretation of Regulation (EC) No 561/2006 by means of the rulings in cases Case C-231/18 NK and Joined Cases C-203/18 and C-374/18. These cases related to the

[35] https://ec.europa.eu/transport/sites/transport/files/modes/road/social_provisions/doc/trace_explanatory_text_en.pdf

interpretation of the two exceptions provided in Article 13(1) of Regulation (EC) No 561/2006.

In Case C-231/18 NK, the Court ruled on the interpretation of the term '*local markets*' in the exception related to the transport of live animals from farms to local markets provided for in Article 13(1)(p)[36]. In its judgment of 7 February 2019[37], the CJEU ruled that the term 'local markets' must be interpreted as referring neither to the transaction carried out between a livestock wholesaler and a farmer nor to the livestock wholesaler themselves. Thus, the exception must be narrowly applied and cannot be extended to include vehicles transporting live animals directly from the farm to the slaughterhouse.

In Joined cases C-203/18 and C-374/18, the interpretation of the exception referred to in Article 13(1)(d)[38] related to the transport by universal service providers to deliver items as part of the universal service. The question at stake was whether the exception set out in Article 13(1)(d) of Regulation (EC) No 561/2006 should be interpreted as covering only vehicles or combinations of vehicles that are used exclusively for the purpose of delivering packages in the context of the universal service, or can it additionally be applied where the vehicles or combinations of vehicles are used, predominantly or to a degree determined in some other way, also for the purpose of delivering packages in the context of the universal service. The CJEU adopted a strict interpretation of this exception and ruled that Article 13(1)(d) of Regulation (EC) No 561/2006 must be interpreted as meaning that the exception which it lays down covers only vehicles or combinations of vehicles that are used exclusively, during a particular transport operation, for the purpose of delivering items as part of the universal postal service.

Regarding judicial interpretation by national courts, the Member States reported few national Court decisions interpreting Directive 2002/15/EC during 2017-2018. Most ruling regarded the interpretation of breaks and rest periods.

The Supreme Court of Greece ruled that the provisions of Directive 2002/15/EC, which lay down that break and rest periods are not considered working time, do not prevent the enactment of national regulations to better regulate these time periods for tourist bus drivers[39]. The Swedish authorities indicated that they were waiting for a ruling in a case related to the possibility of concluding a collective agreement derogating from parts of the legal act implementing Directive 2002/15/EC.

Spain had a number of court cases related to collective agreements, holiday pay, travelling time, and carriage of passengers. One particular case[40] related to the event of a change in the working day - regular working day, continuous hours, rest periods and their nature and

[36] According to Article 13(1)(p), national exceptions may be granted to vehicles used for the carriage of live animals from farms to local markets and vice versa or from markets to local slaughterhouses within a radius of up to 100 km.

[37] http://curia.europa.eu/juris/document/document.jsf?text=&docid=210562&pageIndex=0&doclang=en&mode=req&dir=&occ=first&part=1&cid=2820408

[38] According to Article 13(1)(d), national exceptions may be granted to vehicles with a maximum permissible mass not exceeding 7,5 tonnes used by universal service providers as defined in Article 2(13) of Directive 97/67/EC to deliver items as part of the universal service.

[39] Judgments nos. 1064/2014 and 601/2017 related to Article 10 of Presidential Decree 167/2006.

[40] Judgment No758/2018 of 14 September of the High Court of Justice of Madrid (Social Chamber, Section 1a) (AS 2019\ 925).

services at night - and the impact on the structure of the wage in passenger transport. The trade union and work council took the position that a technical stop must be counted as part of the day (either as working time or time of presence), while the undertaking considered it neither working time nor time of presence. The court ruled that these periods of compulsory rest for drivers of the company are neither time of presence nor working time.

Estonia reported that legal disputes concerning the implementation of Directive 2002/15/EC had been settled by courts of first instance. In Slovenia, doubts regarding the hierarchy of legal acts on the issue of whether or not lunch breaks should be counted as working time were interpreted.

17. Monitoring and control arrangements of Directive 2002/15/EC in Member States

All Member States implemented Directive 2002/15/EC. The monitoring of implementation of the Directive is ensured at national level by different authorities depending on the Member State. The bodies responsible for the monitoring and control arrangements of Directive 2002/15/EC can be the labour inspectorate, road transport agency, occupational health and safety authority, police, road safety authorities and road transport inspections.

18. Issues in relation to enforcement of Directive 2002/15/EC

A majority of Member States did not report having experienced issues in relation to enforcement of Directive 2002/15/EC. Some Member States shared specific issues they face at the national level.

The Cypriot authorities reported difficulties when checking compliance with the provisions of Directive 2002/15/EC in the situation where drivers frequently switch vehicles. These difficulties arise for instance when a driver uses different generations of tachographs on each of the vehicles, or when he or she drives both vehicles covered under Directive 2002/15/EC and vehicles benefitting from an exemption from working time rules. Similarly, the Slovenian authorities reported having met difficulties when checking the working time of drivers employed simultaneously by several undertakings. Notwithstanding the increasing share of vehicles equipped with a digital tachograph, according to the Slovenian authorities this means that checks must still be carried out comparing data from various sources. Several Member States[41] reported a lack of human resources to secure adequate enforcement of their national regulations stemming from Directive 2002/15/EC.

The feedback from Member States shed light upon a need for further clarification of some of the definitions contained in the Directive. In particular, the Portuguese authorities called for further clarification on the definition of ‘periods of availability’, as also addressed in judicial interpretations by e.g. Spain. Likewise, Germany reported experiencing difficulties assessing which activities can be counted as ‘working time’ when reading digital data. As in the previous reporting period, Slovakia reported its infrastructure network to be lagging behind considering the growth of road freight transport, and stressed that this could have adverse implications for road safety. The Slovak authorities mentioned the drivers’ lack of knowledge of EU social rules as a significant obstacle to enforcement. According to the Slovak authorities, there is therefore a crucial need for better training of the drivers in this area.

[41] Germany and Luxembourg.

Sweden also reported low awareness of the existing legal framework, in particular among employers and self-employed drivers.

Two Member States formulated direct suggestions to improve the current regulatory framework. The Hungarian authorities suggested examining the possibility of integrating Directive 2002/15/EC and Regulation (EC) No 561/2006 into a single regulatory framework. The Slovak suggestions revolved around the development of stricter sanction mechanisms, including mandatory payment of fines for foreign drivers during roadside checks and new recovery procedures for sanctions linked to serious infringements following EU classification. The Slovak authorities also recommended harmonising the cost of penalties across the EU.

19. Stakeholders' views on implementation of Directive 2002/15/EC in Member States

Only 12 Member States[42] clearly indicated that social partners had been consulted for the purpose of this reporting exercise. This number is slightly higher compared to the last report with 10 Member States, but still low compared to the previous two reporting periods. In all Member States, this consultation consisted in getting the views of representatives of employers and trade unions. In five out of 12 Member States[43], the views of social partners were not reflected in a separate section or paragraph, and in three of these[44], it was indicated that there was no distinct feedback from social partners. In these Member States, the feedback was rather incorporated throughout the document, indistinctly from the views of national authorities. However, the feedback from social partners was an important element of the report from seven Member States[45]. Therefore, opinions from social partners cannot be analysed as they do not constitute a representative sample. The received feedback from national social partners can be found in the table below. The Commission would like to remind Member States that Article 13(1) of Directive 2002/15/EC requires them to include the views of both sides of industry as part of this reporting exercise.

Feedback from national social partners

- In Germany, the social partners asked for better cooperation between the supervisory authorities in Europe. They stressed that these authorities should be adequately staffed to improve control frequency, and be given more effective monitoring competences. They also raised the issue of working time other than driving time not being sufficiently covered by Directive 2002/15/EC.
- In Italy, the social partners deplored that Directive 2002/15/EC had fallen short of restoring fair competition. They also called for enhanced cooperation between national authorities, in particular as regards the payment of fines. They consider that there is a need for further clarification of certain definitions of the Directive, in particular that of "working time" and that of "time devoted to all road transport activities". They suggested the creation of a specific status for mobile workers.
- The Slovak Confederation of Trade Unions reported that the general lack of knowledge of the

[42] Cyprus, Estonia, Germany, Greece, Italy, Lithuania, Poland, Portugal, Slovakia, Slovenia, Sweden and the United Kingdom.
[43] Cyprus, Estonia, Lithuania, Poland and Portugal.
[44] Cyprus, Lithuania and Poland.
[45] Germany, Greece, Italy, Slovakia, Slovenia, Sweden and the United Kingdom.

legislation on occupational health and safety of both employees and employers resulted in a lack of compliance with these rules.

- In Slovenia, a trade union complained that the non-inclusion of LCVs (vehicles under 3,5 tonnes) in the scope of the social rules created distortions of competition and endangered road safety. The same trade union also complained that there was a lack of labour inspectors to curb the offence rate effectively. They reported on the specific case of drivers involved in the carriage of passengers, who work both on long and short (<50 km) lines - the latter not being covered by the same provisions on working time. A Slovene haulier association argued that self-employed drivers should be excluded from the scope of the Directive, especially since it had failed to curb the rise of bogus self-employment.
- In Sweden, feedback from the industry was generally positive. In particular, hauliers reported that they appreciated the absence of direct sanctions and the possibility to adjust their behaviour in order to comply with the rules on working time.
- In the United Kingdom, employers' associations reported the implementing regulations to be effective and that there was no need for change. Only one reported that the whole Directive should be repealed as it was nothing but burdensome. British trade unions either had no outstanding issues, or reported that existing exemptions from the rules on working time were exploited to the detriment of the driver. They also reported that seasonal peaks of work could lead to situations in which drivers would exceed the allowed average number of working hours over the reference period of four months. To respect the 48 hours average, some drivers will simply have to stop working, and in some cases the employers would force them to use annual leave.

20. Statistics on working days checked at the roadside and premises in 2017-2018

MS	Minimum checks (3%) for 2017-2018	Number of working days checked					
		Total	at roadside	at premises	% at roadside	% at premises	% of working days checked
AT	1,412,640	4,774,392	4,008,682	765,710	84%	16%	10.1%
BE	1,709,285	2,651,514	2,198,346	453,168	83%	17%	4.7%
BG	2,903,418	5,866,556	2,657,805	3,208,751	45%	55%	9.6%
HR	741,470	1,098,224	636,725	461,499	58%	42%	4.4%
CY	140,994	181,843	75,202	106,641	41%	59%	3.9%
CZ	1,490,971	2,474,809	1,544,608	930,201	62%	38%	5.0%
DK	660,000	636,237	291,135	345,102	46%	54%	2.9%
EE	237,600	295,207	110,496	184,711	37%	63%	3.7%
FI[46]	1,125,366	511,194	8,870	502,324	2%	98%	1.4%
FR	7,164,234	22,558,590	17,287,684	5,270,906	77%	23%	9.4%
DE	9,311,378	28,476,834	24,177,581	4,299,253	85%	15%	9.2%
EL	3,760,515	839,544	485,652	353,892	58%	42%	0.7%
HU	1,486,356	3,459,527	2,227,490	1,232,037	64%	36%	7.0%
IE	3,660,146	994,692	98,059	896,633	10%	90%	0.8%
IT	8,533,632	8,527,234	6,886,211	1,641,023	81%	19%	3.0%
LV	446,758	1,467,883	589,039	878,844	40%	60%	9.9%
LT	17,000	50,078	50,078	No data[47]	100%	0%	0.2%
LU	162,999	201,748	64,983	136,765	32%	68%	3.7%
MT	1,080	2,243	840	1,403	37%	63%	6.2%
NL	1,712,988	877,454	691,041	186,413	79%	21%	1,5%
PL	6,575,688	9,386,590	5,715,464	3,671,126	61%	39%	4,3%
PT	765,666	2,375,800	1,852,727	523,073	78%	22%	9,3%
RO	2,781,948	8,664,264	7,172,755	1,491,509	83%	17%	9,3%
SK	504,000	592,961	255,698	337,263	43%	57%	3,5%
SL	521,850	734,171	458,558	275,613	62%	38%	4,2%
ES	5,939,433	9,844,584	6,378,112	3,466,472	65%	35%	5,0%
SE	1,029,600	1,469,923	933,527	536,396	64%	36%	4,3%
UK	6,016,499	6,660,026	5,142,962	1,517,064	77%	23%	3,3%
TOTAL	**70,813,515**	**125,674,122**	**92,000,330**	**33,673,792**	**73%**	**27%**	**5,4%**

[46] Finland did not include data from the national police, but based on other data met the 3% threshold.
[47] Lithuania only included checks at roadside.

21. Statistics on number of working days checked at roadside by country of registration of the vehicle

MS	Nationals	Other EU nationals	non-EU nationals	Total
AT	1,198,121	2,753,466	57,095	4,008,682
BE	450,818	1,508,150	239,378	2,198,346
BG	1,124,400	632,270	901,135	2,657,805
HR	382,661	84,840	169,224	636,725
CY	75,186	16	0	75,202
CZ	848,889	627,079	68,640	1,544,608
DK	152,985	138,150	0	291,135
EE	92,233	14,836	3,427	110,496
FI[48]	1,240	1,340	6,290	8,870
FR	5,547,311	11,432,993	307,380	17,287,684
DE	11,693,273	11,203,626	1,280,682	24,177,581
EL	358,682	63,582	63,388	485,652
HU	928,405	1,042,946	256,139	2,227,490
IE	89,733	8,307	19	98,059
IT	5,668,657	1,116,344	101,210	6,886,211
LV	307,361	208,971	72,707	589,039
LT	36,244	13,418	416	50,078
LU	16,516	46,190	2,277	64,983
MT	448	392	0	840
NL	310,039	363,660	17,342	691,041
PL	2,538,735	1,585,712	1,591,017	5,715,464
PT	1,747,187	105,421	119	1,852,727
RO	6,113,573	724,758	334,424	7,172,755
SK	113,248	126,247	16,203	255,698
SL	116,845	230,119	111,594	458,558
ES	5,472,031	880,725	25,356	6,378,112
SE	498,095	416,742	18,690	933,527
UK	2,186,634	2,831,572	124,756	5,142,962
TOTAL	**48,069,550**	**38,161,872**	**5,768,908**	**92,000,330**

[48] Finland did not include data from the national police.

22. Statistics on checks at roadside by the number of drivers checked, by country of registration and by type of carriage

MS	Total drivers	National drivers	Other EU national drivers	Non-EU drivers	Carriers of passengers	Carriers of goods
AT	238,342	72,368	157,433	8,541	3,377	234,965
BE	175,684	61,883	100,647	13,154	13,220	13,220
BG	153,749	97,469	15,073	41,207	33,364	126,566
HR	25,809	15,623	3,401	6,785	2,662	23,147
CY	4,917	4,901	16	0	995	3,922
CZ	95,318	56,277	34,181	4,860	5,608	89,710
DK	17,946	8,899	8,741	306	1,517	16,429
EE	5,576	4,753	667	156	111	5,465
FI[49]	4,444	86	1,336	3,022	88	4,356
FR	670,602	233,192	424,684	12,726	51,122	619,480
DE	1,470,719	723,807	657,320	89,592	39,188	1,431,531
EL	106,524	87,894	12,465	6,165	69,404	37,120
HU	88,878	38,332	38,365	12,181	1,014	87,864
IE	5,192	4,836	353	3	298	4,894
IT	605,869	514,188	83,001	8,680	38,406	567,463
LV	24,652	11,861	9,467	3,324	804	23,848
LT	20,856	9,477	5,555	5,824	1,186	19,670
LU	5,184	1,584	3,488	112	159	5,025
MT	30	16	14	0	0	30
NL	23,829	10,691	12,540	598	1,226	22,603
PL	475,992	270,439	98,587	106,966	104,961	371,031
PT	71,954	67,277	4,664	13	5,018	66,936
RO	450,230	375,695	50,044	24,491	50,116	400,114
SK	14,116	6,480	6,585	1,051	1,300	12,816
SL	19,051	6,253	8,679	4,119	1,827	17,224
ES	428,612	388,057	38,875	1,680	30,645	397,967
SE	34,438	18,651	15,052	735	1,314	33,124
UK	156,496	67,821	84,431	4,244	12,271	144,225
TOTAL	**5,395,009**	**3,158,810**	**1,875,664**	**360,535**	**471,201**	**4,780,745**

[49] No data from the national police and thus no data on national drivers checked.

23. Statistics on checks at roadside by the number of vehicles stopped by country of registration and type of tachograph

MS	Total	Nationals	Non-nationals	Third nationals	Analogue tacho	% Analogue	Digital tacho	% Digital
AT	238,342	72,368	157,433	8,541	9,835	4%	228,507	96%
BE	102,142	36,088	58,406	7,648	5,630	6%	96,512	94%
BG	153,748	97,469	15,072	41,207	30,750	20%	122,998	80%
HR	25,305	15,564	3,242	6,499	11,601	46%	13,704	54%
CY	4,917	4,901	16	0	3,496	71%	1,421	29%
CZ	102,904	55,799	42,408	4,697	18,706	18%	84,198	82%
DK	17,293	8,260	8,730	303	616	4%	16,677	96%
EE	5,576	4,753	667	156	2,423	43%	3,152	57%
FI	4,328	86[50]	1,336	2,906	0	0%	4,328	100%
FR	663,133	244,093	406,661	12,379	154,826	23%	508,307	77%
DE	1,311,117	647,780	588,464	74,873	218,378	17%	1,092,739	83%
EL	106,524	87,609	12,608	6,307	64,482	61%	42,042	39%
HU	84,854	39,742	35,346	9,766	23,191	27%	61,661	73%
IE	4,088	3,717	371	0	1,450	35%	2,638	65%
IT	605,642	513,983	82,980	8,679	211,582	35%	393,946	65%
LV	22,578	10,681	8,603	3,294	7,523	33%	15,055	67%
LT [51]	4,224	3,402	792	30	3,310	78%	914	22%
LU	5,184	1,584	3,488	112	513	10%	4,671	90%
MT	29	16	13	0	8	28%	21	72%
NL	23,829	10,691	12,540	598	3,690	15%	20,139	85%
PL[52]	388,141	203,477	86,303	98,361	125,619	32%	262,522	68%
PT	71,954	67,277	4,664	13	24,264	34%	47,690	66%
RO	440,603	368,286	48,345	23,972	143,286	33%	295,178	67%
SK	13,981	6,401	6,562	1,018	1,307	9%	12,674	91%
SL	19,051	6,253	8,679	4,119	3,953	21%	15,098	79%
ES	362,286	323,704	36,906	1,676	57,459	16%	304,827[53]	84%
SE	44,170	22,018	20,868	1,284	5,040	11%	39,130	89%
UK	156,496	67,821	84,430	4,245	93,237	60%	63,259	40%
TOTAL	**4,982,439**	**2,923,823**	**1,735,933**	**322,683**	**1,226,175**	**25%**	**3,754,008**	**75%**

[50] Data from the national police is not included.
[51] A great amount of data was not categorised by tachograph making the data inconsistent.
[52] A great amount of data was not categorised by tachograph making the data inconsistent.
[53] Data slightly inconsistent as data was not categorised by required categories.

24. Statistics on checks at premises by the number of drivers, undertakings and working days checked

MS	Number of drivers checked	Number of undertakings checked	Number of working days checked
AT	11,805	1,506	765,710
BE	18,938	3,180	453,168
BG	114,599	8,680	3,208,751
HR	3,378	560	461,499
CY	1,466	622	106,641
CZ	7,914	1,024	930,201
DK	23,307	1,130	345,102
EE	3,505	249	184,711
FI	12,475	2,094	502,324
FR	93,877	11,343	5,270,906
DE	88,182	6,268	4,299,253
EL	3,670	2,482	353,892
HU	8,529	1,578	1,232,037
IE	5,489	323	896,633
IT	20,106	5,861	1,641,023
LV	3,802	473	878,844
LT[54]	11,583	882	No data
LU	1,577	125	136,765
MT	11	2	1,403
NL	8,586	786	186,413
PL	41,065	4,328	3,671,126
PT	5,957	1,134	523,073
RO	14,425	11,761	1,491,509
SK	5,953	817	337,263
SL	1,688	378	275,613
ES	117,370	18,696	3,466,472
SE	10,291	361	536,396
UK	1,485	17,461	1,517,064
TOTAL	**641,033**	**104,104**	**33,673,792**

[54] Not reported number of working days checked at premises.

25. Statistic on types of offences at roadside

MS	Driving time	Breaks	Rest periods	28 days record sheet	Lack/ availability of records for other work	Incorrect functioning	Misuse and manipulation	Total offences
AT	61,677	89,194	87,654	57,352	33,768	1,185	4,660	335,490
BE	1,167	1,030	3,103	197	71	484	1,142	7,194
BG	142	359	983	831	246	156	150	2,867
HR	1,237	1,351	4,316	1,784	234	31	1,484	10,437
CY	158	638	256	121	8	135	0	1,316
CZ	7,503	8,937	9,818	25,989	914	703	726	54,590
DK	119	108	355	39	4	573	117	1,315
EE	196	665	821	311	487	319	757	3,556
FI	132	94	35	42	No data	22	7	332
FR	44,979	7,031	61,660	27,550	6	1,501	17,341	160,068
DE	99,673	76,168	98,311	80,386	86,904	0	179,155	620,597
EL	8,184	11,065	13,226	8,333	1,673	2,520	3,246	48,247
HU	959	1,328	2,221	4,251	1,439	2,416	478	13,092
IE	214	1,388	518	10	6	473	342	2,951
IT	13,729	12,193	21,028	46,228	723	4,326	1,390	99,617
LV	238	314	630	836	No data	36	67	2,121
LT	1,176	108	1,292	1,468	442	503	135	5,124
LU	840	772	502	20	134	11	5	2,284
MT	4	2	6	1	1	0	0	14
NL	1,377	1,553	2,618	135	2	1,293	2,091	9,069
PL	17,608	13,478	43,424	1,465	15,329	4,734	26,870	122,908
PT	13,682	8,694	21,255	7,870	3,241	2,150	9,326	66,218
RO	12,927	6,690	21,546	139	2,629	13,218	1,248	58,397
SK	1,508	3,519	3,236	755	242	779	100	10,139
SL	2,106	2,144	3,810	846	605	1,106	2,240	12,857
ES	36,286	18,397	63,984	28,198	1,052	6,957	907	155,781
SE	4,183	9,335	10,445	227	74	26	98	24,388
UK	19,676	11,485	39,384	6,992	4,056	0	29,494	111,087
TOTAL	**351,680**	**288,040**	**516,437**	**302,376**	**154,290**	**45,657**	**283,576**	**1,942,056**

26. Statistics on types of offences at premises

MS	driving time	breaks	rest periods	driving time records	incorrect functioning or recording equipment	Manipulation of recording equipment	Lack/ availability of records for other work	Total of offences
AT	968	2,285	2,132	7	445	14	0	5,851
BE	2,542	6,455	5,803	775	35	0	468	16,078
BG	164	41	204	265	45	7	0	726
HR	470	1,685	2,434	36	1	752	483	5,861
CY	663	6,745	5,737	283	764	No data	255	14,447
CZ	663	2,410	3,019	5,115	510	330	299	13,066
DK	118	893	668	160	0	0	0	1,839
EE	393	336	1,106	75	0	0	71	1,981
FI*	4,382	15,873	12,726	394	125	874	209	34,583
FR	8,033	2,678	9,785	3,429	29	2,083	1	26,038
DE	54,155	172,874	91,161	7,308	23,758	No data	34,985	384,241
EL	313	65	161	36	7	3	17	602
HU	769	917	1,956	3,891	33	169	815	8,550
IE*	1,039	8,721	4,192	9	653	173	0	14,787
IT	4,819	9,650	7,630	39,349	584	1,124	521	63,677
LV[55]	No data	No data	No data	No data	No data	No data	No data	161,173
LT	1,423	577	1,211	836	0	197	9	4,253
LU	1,393	1,888	2,664	22	4	7	44	6,022
MT	8	4	4	0	0	0	0	16
NL	2,348	3,558	2,865	4,892	86	5,242	20	19,011
PL	14,039	22,432	56,118	507,345	173	5,948	6,129	612,184
PT[56]	3	1	4	2	0	0	0	10
RO	812	993	3,196	327	576	7	0	5,911
SK	2,085	3,824	5,786	954	265	198	61	13,173
SL	1,076	915	1,293	170	61	218	68	3,801
ES	6,570	3,775	10,241	7,414	134	364	245	28,743
SE[57]	716	3,146	2,985	2,168	798	0	4,780	14,593
UK	314	912	814	29	2,512	0	54	4,635
TOTAL	**110,278**	**273,653**	**235,895**	**585,291**	**31,598**	**17,710**	**49,534**	**1,465,852**

[55] Offences detected at the premises are not listed and sorted separately.
[56] No offences by carriage of goods registered at premises.
[57] Data is missing in this categorisation, as number of offences by size of undertaking is substantially higher.