

Brussels, 6 June 2005

IRU Position on the digital tachograph

I. ANALYSIS

- The EU wanted to take advantage of available technology in order to ensure road safety based on a better implementation of resting and driving time rules. The purpose of the digital tachograph is to make the new system less vulnerable and allow for easier and better control of drivers' hours by operators and the enforcement authorities.

This should ensure:

- enhanced road safety
 - better enforcement of social legislation
 - a more level commercial playing field between operators
- The digital tachograph was accepted by the road transport industry because it was the most effective tool to improve the main goal of our industry: road safety. However, due to the impossibility of enforcing decisions taken by the EU institutions, this goal is far from being achieved. The first priority of the EU should be to only introduce enforceable legislation that can be fully respected by all.
 - Introducing the digital tachograph on 5 August 2005 will lead to chaos due to huge legal, technical and administrative problems, including :

(a) Unavailability of driver, company, control and workshop cards

- Available : Austria, Czech Republic, Estonia, France, The Netherlands and Sweden
- Start of availability :
 - Perhaps in June : Finland and UK
 - Perhaps in July : Belgium, Denmark and Luxemburg
- Not available : 14 Member States

The lack of proper legislation prevents the distribution of the required cards.

(b) Late availability of the digital tachograph

VDO Siemens only began deliveries on 2 June 2005. Stoneridge, Actia (confirmed by Barrot Cabinet) and Delphi will deliver later.

(c) Vehicle manufacturers who have not received the digital tachograph and the required cards will not be ready for 5 August 2005

Vehicle manufacturers have not received digital tachographs on time. Moreover, some vehicle manufacturers, because of the complexity, refuse to install digital tachographs in vehicles that have already left the production line.

(d) Enforcement by most Member States on 5 August 2005 is impossible due to:

- lack of cards;
- lack of training;
- lack of proper national legislation

(e) Moratorium on enforcement in the UK and Germany

The UK and German transport authorities have decided on an official moratorium on enforcement and will not take action against commercial vehicles without digital tachographs after 5 August 2005. They will continue to accept analogue records for new vehicles.

(f) The workshops for installing the digital tachograph will not be ready for 5 August 2005 due to:

- lack of training;
- lack of proper national legislation;
- lack of cards

Only those technicians who have successfully completed training on digital tachographs and who work at an approved and nationally-authorised tachograph centre will be able to apply for and obtain a workshop card.

The workshop card will be required for a number of purposes, such as:

- to activate a vehicle unit, after installation;
- to enter, amend or alter calibration settings;
- to re-set or correct any time error on the vehicle;
- to decommission any old vehicle.

In addition, such a card may only be used by the cardholder at the designated tachograph centre. These cards must also remain within the designated digital tachograph centre, which will be responsible for ensuring the security of these cards when not in use.

- According to the EU "Precautionary principle", the European Commission has the legal obligation to make sure that every new piece of legislation can be properly introduced. Introducing the digital tachograph on 5 August 2005 in such chaotic circumstances demonstrates complete disregard for road safety, which is a crucial issue for the road transport industry. Indeed, the European Union should only introduce legislation that can be respected by the industry and its citizens. More so, the European Union should set a good example.
- The recent "No" votes in the Netherlands and France clearly indicate that the EU institutions are not listening to the citizens of Europe. Despite support from the road transport industry and repeated calls for the proper introduction of an instrument which could have a major impact on road safety, the introduction of the digital tachograph in these conditions shows that the European Commission is unwilling to listen to the citizens of Europe and the business community, in other words, to the democratically elected Members of the European Parliament.
- Because of the above-mentioned numerous, major, outstanding technical issues, the road transport industry can wait no longer - and certainly not until the next Transport Council meeting on 27/28 June in Luxemburg - for a positive decision on this important road safety issue.

II. IRU POSITION

Considering the fact that road safety is a top priority for the road transport industry and that many major legal, technical and administrative issues are still outstanding, the road transport industry urgently demands:

- Either the postponement of the introduction of the digital tachograph, as proposed by the European Parliament;
- Or the voluntary introduction on 5 August 2005 linked with a negotiated moratorium on enforcement of the digital tachograph in all countries where EU-registered vehicles circulate, until all the necessary measures are in place to the full satisfaction of a road transport industry which has always been in favour of a strict, harmonised and tamper-proof enforcement of social regulations, to enhance road safety and fair competition.
