Council of the
European Union

Brussels, 16 February 2021
(OR. en)

5700/21

Interinstitutional File:
2021/0013 (NLE)

TRANS 34

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Annex to COUNCIL DECISION on the position to be adopted, on behalf of the European Union, in the Group of Experts on the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) and in the Working Party on Road Transport of the United Nations Economic Commission for Europe

ANNEX

The AETR is amended as follows:

(1) in Article 10, the following paragraph is added:

‘4. From the date of entry into force of Appendix 1C to the Annex to this Agreement, a control device conforming to the requirements set out in Commission Implementing Regulation (EU) 2016/799* and its amending acts or to Appendix 1C to the Annex to this Agreement as regards construction, installation, use and testing shall be considered as conforming to the requirements set out in this Agreement.

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* Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ EU L 139, 26.5.2016, p. 1).’;

(2) in Article 13(2), the following point is added:

‘(c) Appendix 1C shall become mandatory for countries which are Contracting Parties to this Agreement by 31 December 2025. As a consequence, all vehicles covered by this Agreement and registered for the first time from 1 January 2026 shall be equipped with a digital control device conforming to the requirements set out in Appendix 1C. From the date of entry into force of the relevant amendments to this Agreement, Contracting Parties which have not yet implemented those amendments in their countries shall accept and control on their territory vehicles registered in another Contracting Party to this Agreement which are already equipped with such a digital control device.

From 1 January 2028 all vehicles used in international transport shall be fitted with a digital control device conforming to Appendix 1C.

The Contracting Parties shall take the necessary steps to be able to issue the driver cards referred to in Appendix 1C no later than 1 October 2025.’;

(3) Article 14 is amended as follows:

(a) the following paragraph is inserted:

‘1a. This Agreement shall also be open for accession by regional integration organizations which have been duly authorized to sign and ratify, accept, approve or accede to this Agreement. For the purposes of this Agreement, “regional integration organization” means any organization which is constituted by sovereign States of a given region and which has competence in respect of certain matters governed by this Agreement.

For the purposes of amending Appendices 1, 1B, 1C, 2 and 3 to the Annex to this Agreement, the representative of a regional integration organization Contracting Party to this Agreement delivers the votes of its constituent Member States without their presence being necessary in the vote.’;

(b) paragraph 5 is replaced by the following:

‘5. In respect of each State or regional integration organization which ratifies, or accedes to, this Agreement after the deposit of the eighth instrument of ratification or accession as referred to in paragraph 4 of this article, the Agreement shall enter into force one hundred and eighty days after the deposit by that State or regional integration organization of its instrument of ratification or accession.’;

(4) Article 22 is amended as follows:

(a) paragraphs 1 and 2 are replaced by the following:

‘1. Appendices 1, 1C and 2 to the Annex to this Agreement may be amended by the procedure specified in this article.

2. At the request of a Contracting Party, any amendments proposed to Appendix 1, 1C or 2 to the Annex to this Agreement shall be considered by the Principal Working Party on Road Transport of the Economic Commission for Europe.’;

(b) the following paragraph is added:

‘6. Where a proposal for the amendment of Appendix 1C to the Annex to this Agreement requires the amendment of other provisions of the Agreement, the proposed amendment to Appendix 1C cannot enter into force before the date of entry into force of the amendments to those other provisions pursuant to Article 21. If, in such a case, the amendments to Appendix 1C are proposed simultaneously with the amendments to other provisions of the Agreement, the date of their entry into force shall be the date resulting from the application of the procedure outlined in Article 21.’;

(5) in the Annex, a new Appendix 1C is inserted, based on the technical specifications to be adopted by the Commission under Regulation (EU) No 165/2014 of the European Parliament and of the Council[1], duly adapted to the AETR context;

[1] Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ EU L 60, 28.2.2014, p. 1), as amended by 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 EU L 249, 31.7.2020, p. 1).

(6) in the Annex, in Appendix 2, Chapter III (Approval certificate for products in accordance with Appendix 1B) is replaced by the following:

‘III. APPROVAL CERTIFICATE FOR PRODUCTS IN ACCORDANCE WITH APPENDIX 1B/1C ([1])

Once the Contracting Party has effected an approval it issues the applicant with an approval certificate, drawn up in accordance with the model below. Contracting Parties use copies of this document in order to communicate to other Contracting Parties approvals granted or any withdrawals.

APPROVAL CERTIFICATE FOR PRODUCTS IN ACCORDANCE WITH APPENDIX 1B/1C ([1])

Name of the competent administration .....

Communication concerning ([2]):

□ Approval .....
□ Withdrawal of an approval.....
□ Of a control device model.....
□ Of a control device component ([3]) .....
□ Of a driver card .....
□ Of a workshop card.....
□ Of a company card.....
□ Of an inspector’s card .....

Approval No. ……

1. Manufacturing or commercial mark .....
2. Name of model.....
3. Name of manufacturer .....
4. Address of manufacturer.....
5. Submitted for approval on .....
6. Test laboratory or laboratories .....
7. Date and No. of reports.....
8. Date of approval.....
9. Date of withdrawal of approval .....
10. Model(s) of component(s) of control device with which the component is intended to be used.....
11. Place.....
12. Date.....
13. Descriptive documents annexed .....

14. Remarks (including the affixing of seals if required)

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……

(Signature)

([1]) Specify Appendix 1B or 1C

([2]) Tick the relevant boxes

([3]) Specify the component concerned in the communication’.