

EUROPEAN AGREEMENT

concerning

THE WORK OF CREWS OF VEHICLES ENGAGED IN INTERNATIONAL ROAD TRANSPORT (AETR)

done at Geneva on 1 July 1970

Amendment 1*

AND PROTOCOL OF SIGNATURE

Article 3 – Application of some provisions of the Agreement to road transport performed by vehicles registered in the territories of non-contracting States

Amend paragraph 1 to read:

“... provisions not less strict than those laid down in articles 5, 6, 7, 8, 9, 10, 11, in article 12 paragraphs 1, 2, 6 and 7 and in articles 12 bis of this Agreement.”

Insert new article as follows:

“Article 6 bis – Interruption of the daily rest period in the course of combined transport operations

Where a crew member engaged in the carriage of goods or passengers accompanies a vehicle which is transported by ferryboat or train, the daily rest period may be interrupted not more than once, provided the following conditions are fulfilled:

- (a) That part of the daily rest period spent on land may be taken before or after the portion of the daily rest period taken on board the ferryboat or the train;
- (b) The period between the two portions of the daily rest period must be as short as possible and may on no account exceed one hour before embarkation or after disembarkation, customs formalities being included in the embarkation or disembarkation operation;
- (c) During both portions of the rest period the crew member must have access to a bunk or couchette;
- (d) Where a daily rest period is interrupted in this way, it shall be increased by two hours;
- (e) Any time spent on board a ferryboat or a train and not counted as part of the daily rest period shall be regarded as a break as defined in article 8.”

Article 10 – Manning

Beginning of article should read:

“Subject to the provisions of article 12 bis paragraph 2 of this Agreement, in the case of ...”

Article 11 – Exceptional cases

Amend the last sentence to read:

“... shall record in the individual control book or in the case mentioned in article 12 bis, as appropriate, in the record sheet and/or in the other control documents envisaged under paragraph 1 of that article, the nature of and ...”.

* entered into force on 3 August 1983

Insert new article as follows:

“Article 12 bis – Control device

1. If a Contracting Party prescribes or authorizes the installation and use on vehicles registered in its territory of a mechanical control device, such device may give rise to complete or partial exemption from the filling in of the individual control book mentioned in article 12, under the following conditions:
 - (a) The control device must be of a type either approved or recognized by one of the Contracting Parties;
 - (b) If the crew includes more than one person and if the recording is not made on separate sheets but on only one sheet, this must show clearly the part of the recording corresponding to each of the persons;
 - (c) If the device provides for the recording of crew members’ driving times, times spent performing occupational activities other than driving, and rest periods as well as vehicle speeds and distance covered, the keeping of the individual control book may be entirely dispensed with;
 - (d) If the device provides only recording driving time, time during which the vehicle is stationary, speed and distance covered, the exemption will only be partial and limited to the entries in the daily sheets of the said control book, the crew members being obliged to complete daily the appropriate columns of a weekly report conforming to the model sheet (e) appearing in the annex to this Agreement;
 - (e) If the normal and appropriate use of a control device installed on a vehicle is not possible, each crew member shall enter by hand, using the appropriate graphic representation, the details corresponding to his occupational activities and rest periods on a record sheet, or on a daily sheet conforming to the model sheet (c) appearing in the annex to the Agreement;
 - (f) When, by reason of their being away from the vehicle, the crew members are unable to make use of the device, they shall insert by hand, using the appropriate graphic representation, in the record sheet or a daily sheet conforming to the model sheet (c) envisaged in the annex to this Agreement, the various times corresponding to their occupational activities while they were away;
 - (g) The crew members must always have available, and be able to present for inspection, as appropriate, the records sheets and/or the other control documents filled in as provided under (c), (d), (e) and (f) of this paragraph, relating to the previous seven days;
 - (h) The crew members must ensure that the control device be activated and handled correctly and that, in case of malfunctioning, it be repaired as soon as possible.
2. If the control device within the meaning of paragraph 1 is installed and used on a vehicle registered in the territory of one of the Contracting Parties, the application of the provisions of article 10 of this Agreement to that vehicle shall not be required by the other Contracting Parties.
3. Undertakings shall keep, as appropriate, the record sheets and/or the other control documents filled in as provided under (c), (d), (e) and (f) of paragraph 1 of this article, for a period of not less than twelve months after the date of the last entry and shall produce them at the request of the control authorities.”

Article 14 – Measures of enforcement of the Agreement

Amend paragraph 2 to read:

“... by spot checks of the record sheets and control documents that the requirements of ...”.

EUROPEAN AGREEMENT

concerning

THE WORK OF CREWS OF VEHICLES ENGAGED IN INTERNATIONAL ROAD TRANSPORT (AETR)

done at Geneva on 1 July 1970

Amendment 2*

AND PROTOCOL OF SIGNATURE

Article 1 - Definitions

Amend paragraph (g) to read:

"(g) 'carriage by road' means any journey made on roads open to the public of a vehicle, whether laden or not, used for the carriage of passengers or goods;"

Amend paragraph (i) to read:

"(i) 'regular services' means services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points.

Rules governing the operations of services or documents taking the place thereof, approved by the competent authorities of Contracting Parties and published by the carrier before coming into operation, shall specify the conditions of carriage and in particular the frequency of services, timetables, faretables and the obligation to accept passengers for carriage, in so far as such conditions are not prescribed by any law or regulation.

Services by whomsoever organized, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified in the first subparagraph of this definition, shall be deemed to be regular services. Such services, in particular those providing for the carriage of workers to and from their place of work or of school children to and from school, are hereinafter called 'special regular services';"

Amend paragraph (1) to read:

"(1) 'week' means the period between 0000 hours on Monday and 2400 hours on Sunday;"

Amend paragraph (m) to read:

"(m) 'rest' means any uninterrupted period of at least one hour during which the driver may freely dispose of his time."

Delete paragraphs (n) and (o).

Article 2 - Scope

Amend subparagraph 2 (b) to read:

"(b) Unless the Contracting Parties whose territory is used agree otherwise, this Agreement shall not apply to the international road transport performed by:

* Entered into force on 24 April 1992

1. Vehicles used for the carriage of goods where the permissible maximum weight of the vehicle, including any trailer or semi-trailer, does not exceed 3.5 tonnes;
2. Vehicles used for the carriage of passengers which, by virtue of their construction and equipment are suitable for carrying not more than nine persons, including the driver, and are intended for that purpose;
3. Vehicles used for the carriage of passengers on regular services where the route covered by the service in question does not exceed 50 kilometres;
4. Vehicles with a maximum authorized speed not exceeding 30 kilometres per hour;
5. Vehicles used by or under the control of the armed services, civil defence, fire services, and forces responsible for maintaining public order;
6. Vehicles used in connection with the sewerage, flood protection, water, gas and electricity services, highway maintenance and control, refuse collection and disposal, telegraph and telephone services, carriage of postal articles, radio and television broadcasting and the detection of radio or television transmitters or receivers;
7. Vehicles used in emergencies or rescue operations;
8. Specialized vehicles used for medical purposes;
9. Vehicles transporting circus and fun-fair equipment;
10. Specialized breakdown vehicles;
11. Vehicles undergoing road tests for technical development, repair or maintenance purposes, and new or rebuilt vehicles which have not yet been put into service;
12. Vehicles used for non-commercial carriage of goods for personal use;
13. Vehicles used for milk collection from farms and the return to farms of milk containers or milk products intended for animal feed."

Delete subparagraphs (c) and (d) of paragraph 2.

Article 3 - Application for some provisions of the Agreement to road transport performed by vehicles registered in the territories of non-contracting States

Amend this article to read:

"Article 3

Application of some provisions of the Agreement to road transport performed
by vehicles registered in the territories of non-Contracting States

1. Each Contracting Party shall apply in its territory, in respect of international road transport performed by any vehicle registered in the territory of a State which is not a Contracting Party to this Agreement, provisions not less strict than those laid down in articles 5, 6, 7, 8, 9 and 10 of this Agreement.
2. It shall be open to any Contracting Party, in the case of a vehicle registered in a State which is not a Contracting Party to this Agreement, merely to require, in lieu of a control device conforming to the specifications in the annex to this Agreement, daily record sheets, completed manually by the driver."

Article 4 - General principles

Amend this article to read:

"Article 4

General principles

Each Contracting Party may apply higher minima or lower maxima than those laid down in articles 5 to 8 inclusive. Nevertheless, the provisions of this Agreement shall remain applicable to drivers, engaged in international road transport operations on vehicles registered in another Contracting or non-Contracting State."

Article 5 - Conditions to be fulfilled by drivers

Replace this article with the following text:

"Article 5

Crews

1. The minimum ages for drivers engaged in the carriage of goods shall be as follows:
 - (a) for vehicles, including, where appropriate, trailers or semi-trailers, having a permissible maximum weight of not more than 7.5 tonnes, 18 years;
 - (b) for other vehicles:

21 years, or

18 years provided that the person concerned holds a certificate of professional competence recognized by one of the Contracting Parties confirming that he has completed a training course for drivers of vehicles intended for the carriage of goods by road. Contracting Parties shall inform one another of the prevailing national minimum training levels and other relevant conditions relating to drivers engaged in international carriage of goods under this Agreement.

2. Any driver engaged in the carriage of passengers shall have reached the age of 21 years.

Any driver engaged in the carriage of passengers on journeys beyond a 50 kilometre radius from the place where the vehicle is normally based must also fulfil one of the following conditions:
 - (a) he must have worked for at least one year in the carriage of goods as a driver of vehicles with a permissible maximum weight exceeding 3.5 tonnes;
 - (b) he must have worked for at least one year as a driver of vehicles used to provide passenger services on journeys within a 50 kilometres radius from the place where the vehicle is normally based, or other types of passenger services not subject to this Agreement provided the competent authority considers that he has by so doing acquired the necessary experience;
 - (c) he must hold a certificate of professional competence recognized by one of the Contracting Parties confirming that he has completed a training course for drivers of vehicles intended for the carriage of passengers by road."

Article 6 - Daily rest period

Replace this article with the following text:

"Article 6

Driving periods

1. The driving period between any two daily rest periods or between a daily rest period and a weekly rest period, hereinafter called 'daily driving period', shall not exceed nine hours. It may be extended twice in any one week to 10 hours.

A driver must, after no more than six daily driving periods, take a weekly rest period as defined in article 8 (3).

The weekly rest period may be postponed until the end of the sixth day if the total driving time over the six days does not exceed the maximum corresponding to six daily driving periods.

In the case of the international carriage of passengers, other than on regular services, the terms 'six' and 'sixth' in the second and third subparagraphs shall be replaced by 'twelve' and 'twelfth' respectively.

2. The total period of driving in any one fortnight shall not exceed ninety hours."

Article 6 bis - Interruption of the daily rest period in the course of combined transport operations

Delete the text of this article.

Article 7 - Daily driving period, maximum weekly and fortnightly driving period

Replace this article with the following text:

"Article 7

Breaks

1. After four-and-a-half hours' driving, the driver shall observe a break of at least forty-five minutes, unless he begins a rest period.
2. This break may be replaced by breaks of at least fifteen minutes each distributed over the driving period or immediately after this period in such a way as to comply with the provisions of paragraph 1.
3. During these breaks, the driver may not carry out any other work. For the purposes of this article, the waiting time and time not devoted to driving spent in a vehicle in motion, a ferry, or a train shall not be regarded as 'other work'.
4. The breaks observed under this article may not be regarded as daily rest periods."

Article 8 - Maximum continuous driving periods

Replace this article with the following text:

"Article 8

Rest periods

1. In each period of twenty-four hours, the driver shall have a daily rest period of at least eleven consecutive hours, which may be reduced to a minimum of nine consecutive hours not more than three times in any one week, on condition that an equivalent period of rest be granted as compensation before the end of the following week.

On days when the rest is not reduced in accordance with the first subparagraph, it may be taken in two or three separate periods during the twenty-four hour period, one of which must be of at least eight consecutive hours. In this case the minimum length of the rest shall be increased to twelve hours.
2. During each period of thirty hours when a vehicle is manned by at least two drivers, each driver shall have a rest period of not less than eight consecutive hours.
3. In the course of each week, one of the rest periods referred to in paragraphs 1 and 2 shall be extended by way of weekly rest, to a total of forty-five consecutive hours. This rest period may be reduced to a minimum of thirty-six consecutive hours if taken at the place where the vehicle is normally based or where the driver is based, or to a minimum of twenty-four consecutive hours if taken elsewhere. Each reduction shall be compensated by an equivalent rest taken en bloc before the end of the third week following the week in question.

4. A weekly rest period which begins in one week and continues into the following week may be attached to either of these weeks.

5. In the case of the carriage of passengers to which article 6 (1), fourth subparagraph, applies, the weekly rest period may be postponed until the week following that in respect of which the rest is due and added on to that second week's weekly rest.

6. Any rest taken as compensation for the reduction of the daily and/or weekly rest periods must be attached to another rest of at least eight hours and shall be granted, at the request of the person concerned, at the vehicle's parking place or driver's base.

7. The daily rest period may be taken in a vehicle, as long as it is fitted with a bunk and is stationary.

8. Notwithstanding the provisions in paragraph 1 above where a driver engaged in the carriage of goods or passengers accompanies a vehicle which is transported by ferryboat or train, the daily rest period may be interrupted not more than once, provided the following conditions are fulfilled:

that part of the daily rest period spent on land must be able to be taken before or after the portion of the daily rest period taken on board the ferryboat or the train,

the period between the two portions of the daily rest period must be as short as possible and may on no account exceed one hour before embarkation or after disembarkation, customs formalities being included in the embarkation or disembarkation operations,

during both portions of the rest period the driver must be able to have access to a bunk or couchette.

The daily rest period, interrupted in this way, shall be increased by two hours."

Article 9 - Weekly rest period

Delete the text of this article.

Article 10 - Manning

Delete the text of this article.

Article 11 - Exceptional cases

Renumber and amend the text of this article to read:

"Article 9

Exceptions

Provided that road safety is not thereby jeopardized and to enable him to reach a suitable stopping place, the driver may depart from the provisions of this Agreement to the extent necessary to ensure the safety of persons, of the vehicle or of its load. The driver shall indicate the nature of and reason for his departure from those provisions on the record sheet of the control device or in his duty roster."

Article 12 - Individual control book

Delete the text of this article.

Article 12 bis - Control device

Renumber and amend this article to read:

"Article 10

Control device

1. The Contracting Parties shall prescribe the installation and use on vehicles registered in their territory of a control device according to the following requirements:

(a) The control device shall as regards construction, installation, use and testing, comply with the requirements of this Agreement and the annex thereto, which shall form an integral part of this Agreement.

(b) If the normal and appropriate use of a control device installed on a vehicle is not possible, each crew member shall enter by hand, using the appropriate graphic representation, the details corresponding to his occupational activities and rest periods on his record sheet.

(c) When, by reasons of their being away from the vehicles, the crew members are unable to make use of the device, they shall insert by hand, using the appropriate graphic representation, on their record sheet the various times corresponding to their occupational activities while they were away.

(d) The crew members must always have available, and be able to present for inspection record sheets for the current week and for the last day of the previous week on which they drove.

(e) The crew members must ensure that the control device be activated and handled correctly and that, in case of malfunctioning, it be repaired as soon as possible.

2. The employer shall issue a sufficient number of record sheets to drivers, bearing in mind the fact that these sheets are personal in character, the length of the period of service and the possible obligation to replace sheets which are damaged, or have been taken by an authorized inspecting officer. The employer shall issue to drivers only sheets of an approved model suitable for use in the equipment installed in the vehicle.

3. Undertakings shall keep in good order the record sheets filled in as provided under (b), (c) and (d) of paragraph 1 of this article, for a period of not less than 12 months after the date of the last entry and shall produce them at the request of the control authorities."

Article 13 - Supervision by the undertaking

Renumber this article as article 11 and insert a new paragraph 3 to read:

"3. Payments to wage-earning drivers, even in the form of bonuses or wage supplements, related to distances travelled and/or the amount of goods carried shall be prohibited, unless these payments are of such a kind as not to endanger road safety."

Article 14 - Measures of enforcement of the Agreement

Renumber and amend this article to read:

"Article 12

Measures of enforcement of the Agreement

1. Each Contracting Party shall adopt all appropriate measures to ensure observance of the provisions of this Agreement, in particular by adequate level of road checks and checks performed on the premises of undertakings. The competent administrations of the Contracting Parties shall keep one another informed of the general measures adopted for this purpose.

2. Contracting Parties shall assist each other in applying this Agreement and in checking compliance therewith.

3. Within the framework of this mutual assistance the competent authorities of the Contracting Parties shall regularly send one another all available information concerning:

breaches of this Agreement committed by non-residents and any penalties imposed for such breaches;

penalties imposed by a Contracting Party on its residents for such breaches committed on the territory of Contracting Party.

In case of serious breaches such information shall include the penalty imposed.

4. If the findings of a roadside check on the driver of a vehicle registered in the territory of another Contracting Party provide grounds to believe that infringements have been committed which cannot be detected during the check due to lack of necessary data, the competent authorities of the Contracting Party concerned shall assist each other to clarify the situation. In cases where, to this end, the competent Contracting Party carries out a check at the premises of the undertaking, the results of this check shall be communicated to the other Party concerned."

Article 15 - Transitional provisions

Renumber and amend this article to read:

"Article 13

Transitional provisions

The provisions of new article 10 - Control device, shall not become mandatory for countries Contracting Parties to this Agreement until three years after the entry into force of these amendments. Before that date the provisions of the old article 12 - Individual control book, shall continue to apply."

Renumber articles 16 to 18 of the final provisions as articles 14 to 16 respectively.

Article 19

Renumber this article as article 17 and amend the last part of paragraph 2 to read:

"2. ... in conformity with the provisions of article 15 hereof."

Article 20

Renumber this article as article 18.

Article 21

Renumber this article as article 19 and amend the first sentence of paragraph 1 to read:

"1. Any State may, at the time of signing, ratifying, or acceding to this Agreement, declare that it does not consider itself bound by article 18, paragraphs 2 and 3 hereof. ..."

Article 22

Renumber this article as article 20 and amend paragraph 3 to read:

"3. The Secretary-General shall invite to any conference convened under this article all the States referred to in article 14, paragraph 1, of this Agreement."

Article 23

Renumber this article as article 21 and amend the last part of paragraph 1 to read:

"1. ... referred to in article 14, paragraph 1, of this Agreement."

Insert new article 22 as follows:

"Article 22

1. Appendices 1 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 appendices 1 and 2 to the annex to this Agreement shall be considered by the Principal Working Party on Road Transport of the Economic Commission for Europe.
3. If it is adopted by the majority of the members present and voting, and if this majority includes the majority of the Contracting Parties present and voting, the amendment shall be communicated by the Secretary-General to the competent administrations of all the Contracting Parties for acceptance.
4. The amendment shall be accepted if, within a period of six months following the date of notification, less than one-third of the competent administrations of the Contracting Parties notify the Secretary-General of their objection to the amendment.
5. Any amendment accepted shall be communicated by the Secretary-General to all the Contracting Parties and shall come into force three months after the date of its notification."

Article 24

Renumber and amend this article to read:

"Article 23

In addition to the notifications referred to in articles 20 and 21 of this Agreement, the Secretary-General of the United Nations shall notify the States referred to in article 14, paragraph 1, hereof of:

- (a) ratifications or accessions under article 14 of this Agreement;
- (b) the dates of entry into force of the present Agreement, in conformity with article 14 hereof;
- (c) denunciations under article 15 of this Agreement;
- (d) the termination of this Agreement in conformity with article 16 hereof;
- (e) notifications received under article 17 of this Agreement;
- (f) declarations and notifications received under article 19 of this Agreement;
- (g) the entry into force of any amendment in conformity with article 21 of this Agreement."

Article 25

Renumber this article as article 24.

Article 26

Renumber this article as article 25 and amend the last part of the text to read:

"... referred to in article 14, paragraph 1, hereof."

Annex - Individual control book

Replace this annex with the following text:

"Annex - control device

GENERAL PROVISIONS

I. TYPE APPROVAL

Article 1

Applications for the approval of a type of control device or of a model record sheet shall be submitted, accompanied by the appropriate specifications, by the manufacturer or his agent to a Contracting Party. No application in respect of any one type of control device or of any one model record sheet may be submitted to more than one Contracting Party.

Article 2

A Contracting Party shall grant its approval to any type of control device or to any model record sheet which conforms to the requirements laid down in appendix 1 to this annex, provided that the Contracting Party is in a position to check that production models conform to the approved prototype.

Any modifications or additions to an approved model must receive additional type approval from the Contracting Party which granted the original type approval.

Article 3

Contracting Parties shall issue to the applicant an approval mark, which shall conform to the model shown in appendix 2 for each type of control device or model record sheet which they approve pursuant to article 2.

Article 4

The competent authorities of the Contracting Party to which the application for type approval has been submitted shall, in respect of each type of control device or model record sheet which they approve or refuse to approve, either send within one month to the authorities of the other Contracting Parties a copy of the approval certificate accompanied by copies of the relevant specifications, or, if such is the case, notify those authorities that approval has been refused; in cases of refusal they shall communicate the reasons for their decision.

Article 5

1. If a Contracting Party which has granted the type approval as provided for in article 2 finds that certain control device or record sheets bearing the type approval mark which it has issued do not conform to the prototype which it has approved, it shall take the necessary measures to ensure that production models conform to the approved prototype. The measures taken may, if necessary, extend to withdrawal of the type approval.
2. A Contracting Party which has granted the type approval shall withdraw such approval if the control device or record sheet which has been approved is not in conformity with this annex or its appendices or displays in use any general defect which makes it unsuitable for the purpose for which it is intended.
3. If a Contracting Party which has granted the type approval is notified by another Contracting Party of one of the cases referred to in paragraphs 1 and 2, it shall also, after consulting the latter Contracting Party, take the steps laid down in those paragraphs, subject to paragraph 5.
4. A Contracting Party which ascertains that one of the cases referred to in paragraph 2 has arisen may forbid until further notice the placing on the market and putting into service of the control device or record sheets. The same applies in the cases mentioned in paragraph 1 with respect to control device or record sheets which have been exempted from the initial verification, if the manufacturer, after due warning, does not bring the device into line with the approved model or with the requirements of this annex.

In any event, the competent authorities of the Contracting Parties shall notify one another within one month, of any withdrawal of the type approval or of any other measures taken pursuant to paragraphs 1, 2 and 3 and shall specify the reasons for such action.

5. If a Contracting Party which has granted the type approval disputes the existence of any of the cases specified in paragraphs 1 or 2 notified to it, the Contracting Parties concerned shall endeavour to settle the dispute.

Article 6

1. An applicant for the type approval of a model record sheet shall state on his application the type or types of control device on which the sheet in question is designed to be used and shall provide suitable equipment of such type or types for the purpose of testing the sheet.

2. The competent authorities of each Contracting Party shall indicate on the approval certificate for the model record sheet the type or types of control device on which that model sheet may be used.

Article 7

No Contracting Party may refuse to register any vehicle fitted with a control device, or prohibit the entry into service or use of such vehicle for any reason connected with the fact that the vehicle is fitted with such device, if the device bears the approval mark referred to in article 3 and the installation plaque referred to in article 9.

Article 8

All decisions pursuant to this annex refusing or withdrawing approval of a type of control device or model record sheet shall specify in detail the reasons on which they are based. A decision shall be communicated to the party concerned, who shall at the same time be informed of the remedies available to him under the laws of the Contracting Party and of the time-limits for the exercise of such remedies.

II. INSTALLATION AND INSPECTION

Article 9

1. The control device may be installed or repaired by fitters or workshops approved by the competent authorities of Contracting Parties for that purpose after the latter, should they so desire, have heard the views of the manufacturers concerned.

2. The approved fitter or workshop shall place a special mark on the seals which it affixes. The competent authorities of the Contracting Party shall maintain a register of the marks used.

3. The competent authorities of the Contracting Parties shall send each other their lists of approved fitters or workshops and also copies of the marks used.

4. For the purpose of certifying that installation of control device took place in accordance with the requirements of this annex an installation plaque affixed as provided in appendix 1 shall be used.

III. USE OF EQUIPMENT

Article 10

The employer and drivers shall be responsible for seeing that the device functions correctly.

Article 11

1. Drivers shall not use dirty or damaged record sheets. The sheets shall be adequately protected on this account.

In case of damage to a sheet bearing recordings, drivers shall attach the damaged sheet to the spare sheet used to replace it.

2. Drivers shall use the record sheets every day on which they are driving, starting from the moment they take over the vehicle. The record sheet shall not be withdrawn before the end of the daily working period unless its withdrawal is otherwise authorized. No record sheet may be used to cover a period longer than that for which it is intended.

When, as a result of being away from the vehicle, a driver is unable to use the device fitted to the vehicle, the periods of time shall be entered on the sheet, either manually, by automatic recording or other means, legibly and without dirtying the sheet.

Drivers shall amend the record sheets as necessary should there be more than one driver on board the vehicle, so that the information referred to in Chapter II (1) to (3) of appendix 1 is recorded on the record sheet of the driver who is actually driving.

3. The control device shall be so designed that it is possible for an authorized inspecting officer, if necessary after opening the equipment, to read the recordings relating to the nine hours preceding the time of the check without permanently deforming, damaging or soiling the sheet.

The control device shall, furthermore, be so designed that it is possible, without opening the case, to verify that recordings are being made.

4. Whenever requested by an authorized inspecting officer to do so, the driver must be able to produce record sheets for the current week, and in any case for the last day of the previous week on which he drove."

Annex - Appendix 1

REQUIREMENTS FOR CONSTRUCTION, TESTING, INSTALLATION AND INSPECTION

I. DEFINITIONS

In this appendix

(a) "control device" means equipment intended for installation in road vehicles to show and record automatically or semi-automatically details of the movement of those vehicles and of certain working periods of their drivers;

(b) "record sheet" means a sheet designed to accept and retain recorded data, to be placed in the control device and on which the marking devices of the latter inscribe a continuous record of the information to be recorded;

(c) "constant of the control device" means the numerical characteristic giving the value of the input signal required to show and record a distance travelled of 1 kilometre; this constant must be expressed either in revolutions per kilometre ($k = \dots \text{ rev/km}$), or in impulses per kilometre ($k = \dots \text{ imp/km}$);

(d) "characteristic coefficient of the vehicle" means the numerical characteristic giving the value of the output signal emitted by the part of the vehicle linking it with the control device (gearbox output shaft or axle) while the vehicle travels a distance of one measured kilometre under normal test conditions (see chapter VI, paragraph 4 of this appendix). The characteristic coefficient is expressed either in revolutions per kilometre ($W = \text{ rev/km}$) or in impulses per kilometre ($W = \dots \text{ imp/km}$);

(e) "effective circumference of wheel tyres" means the average of the distances travelled by the several wheels moving the vehicle (driving wheels) in the course of one complete rotation. The measurement of these distances must be made under normal test conditions (see chapter VI, paragraph 4 of this appendix) and is expressed in the form: $l = \dots \text{ mm}$.

II. GENERAL CHARACTERISTICS AND FUNCTIONS OF CONTROL DEVICE

The control device must be able to record the following:

1. distance travelled by the vehicle;
2. speed of the vehicle;
3. driving time;
4. other periods of work or of availability;
5. breaks from work and daily rest periods;
6. opening of the case containing the record sheet;
7. for electronic control device which is device operating by signals transmitted electrically from the distance and speed sensor, any interruption exceeding 100 milliseconds in the power supply of the recording equipment (except lighting), in the power supply of the distance and speed sensor and any interruption in the signal lead to the distance and speed sensor.

For vehicles used by two drivers the control device must be capable of recording simultaneously but distinctly and on two separate sheets details of the periods listed under 3, 4 and 5.

III. CONSTRUCTION REQUIREMENTS FOR CONTROL DEVICE

A. GENERAL POINTS

1. Control device shall include the following:

(a) Visual instruments showing:

distance travelled (distance recorder),

speed (speedometer),

time (clock).

(b) Recording instruments comprising:

a recorder of the distance travelled,

a speed recorder,

one or more time recorders satisfying the requirements laid down in chapter III C 4.

(c) A means of marking showing on the record sheet individually:

each opening of the case containing that sheet,

for electronic control device, as defined in point 7 of chapter II, any interruption exceeding 100 milliseconds in the power supply of the control device (except lighting), not later than at switching-on the power supply again,

for electronic control device, as defined in point 7 of chapter II, any interruption exceeding 100 milliseconds in the power supply of the distance and speed sensor and any interruption in the signal lead to the distance and speed sensor.

2. Any inclusion of the equipment of devices additional to those listed above must not interfere with the proper operation of the mandatory devices or with the reading of them.

The control device must be submitted for approval complete with any such additional devices.

3. Materials

(a) All the constituent parts of the control device must be made of materials with sufficient stability and mechanical strength and stable electrical and magnetic characteristics.

(b) Any modification in a constituent part of the control device or in the nature of the materials used for its manufacture must, before being applied in manufacture, be submitted for approval to the authority which granted type-approval for the control device.

4. Measurement of distance travelled

The distances travelled may be measured and recorded either:

so as to include both forward and reverse movement, or

so as to include only forward movement.

Any recording of reversing movements must on no account affect the clarity and accuracy of the other recordings.

5. Measurement of speed

(a) The range of speed measurement shall be as stated in the type-approval certificate.

(b) The natural frequency and the damping of the measuring device must be such that the instruments showing and recording the speed can, within the range of measurement, follow acceleration changes of up to 2 m/s², within the limits of accepted tolerances.

6. Measurement of time (clock)

(a) The control of the mechanism for resetting the clock must be located inside a case containing the record sheet; each opening of that case must be automatically recorded on the record sheet.

(b) If the forward movement mechanism of the record sheet is controlled by the clock, the period during which the latter will run correctly after being fully wound must be greater by at least 10% than the recording period corresponding to the maximum sheet-load of the equipment.

7. Lighting and protection

(a) The visual instruments of the control device must be provided with adequate non-dazzling lighting.

(b) For normal conditions of use, all the internal parts of the control device must be protected against damp and dust. In addition they must be made proof against tampering by means of casings capable of being sealed.

B. VISUAL INSTRUMENTS

1. Distance travelled indicator (distance recorder)

(a) The value of the smallest grading on the control device showing distance travelled must be 0.1 kilometres. Figures showing hectometres must be clearly distinguishable from those showing whole kilometres.

(b) The figures on the distance recorder must be clearly legible and must have an apparent height of at least 4 mm.

(c) The distance recorder must be capable of reading up to at least 99,999.9 kilometres.

2. Speed indicators (speedometer)

(a) Within the range of measurement, the speed scale must be uniformly graduated by 1, 2, 5 or 10 kilometres per hour. The value of a speed graduation (space between two successive marks) must not exceed 10% of the maximum speed shown on the scale.

(b) The range indicated beyond that measured need not be marked by figures.

(c) The length of each space on the scale representing a speed difference of 10 kilometres per hour must not be less than 10 millimetres.

(d) On an indicator with a needle, the distance between the needle and the control device face must not exceed 3 millimetres.

3. Time indicator (clock)

The time indicator must be visible from outside control device and give a clear, plain and unambiguous reading.

C. RECORDING INSTRUMENTS

1. General points

(a) All equipment, whatever the form of the record sheet (strip or disc) must be provided with a mark enabling the record sheet to be inserted correctly, in such a way as to ensure that the time shown by the clock and the time-marking on the sheet correspond.

(b) The mechanism moving the record sheet must be such as to ensure that the latter moves without play and can be freely inserted and removed.

(c) For record sheets in disc form, the forward movement device must be controlled by the clock mechanism. In this case, the rotating movement of the sheet must be continuous and uniform, with a minimum speed of 7 millimetres per hour measured at the inner border of the ring marking the edge of the speed recording area.

In equipment of the strip type, where the forward movement device of the sheets is controlled by the clock mechanism the speed of rectilinear forward movement must be at least 10 millimetres per hour.

(d) Recording of the distance travelled, of the speed of the vehicle and of any opening of the case containing the record sheet or sheets must be automatic.

2. Recording distance travelled

(a) Every kilometre of distance travelled must be represented on the record by a variation of at least 1 millimetre on the corresponding coordinate.

(b) Even at speeds reaching the upper limit of the range of measurement, the record of distances must still be clearly legible.

3. Recording speed

(a) Whatever the form of the record sheet, the speed recording stylus must normally move in a straight line and at right angles to the direction of travel of the record sheet.

However, the movement of the stylus may be curvilinear, provided the following conditions are satisfied:

the trace drawn by the stylus must be perpendicular to the average circumference (in the case of sheets in disc form) or to the axis (in the case of sheets in strip form) of the area reserved for speed recording,




the ratio between the radius of curvature of the trace drawn by the stylus and the width of the area reserved for speed recording must be not less than 2.4 to 1 whatever the form of the record sheet,

the markings on the time-scale must cross the recording area in a curve of the same radius as the trace drawn by the stylus. The spaces between the markings on the time-scale must represent a period not exceeding one hour.

(b) Each variation in speed of 10 kilometres per hour must be represented on the record by a variation of at least 1.5 millimetres on the corresponding coordinate.

4. Recording time

(a) Control device must be so constructed that the period of driving time is always recorded automatically and that it is possible, through the operation where necessary of a switch device to record separately the other periods of time as follows:

- (i) under the sign  : driving time;
- (ii) under the sign  : all other periods of work;
- (iii) under the sign  : other periods of availability, namely:

waiting time, i.e. the period during which drivers need remain at their posts only for the purpose of answering any calls to start or resume driving or to carry out other work,

time spent beside the driver while the vehicle is in motion,

time spent on a bunk while the vehicle is in motion;

(iv) under the sign  : breaks in work and daily rest periods.

Each contracting party may permit all the periods referred to in subparagraphs (ii) and (iii) above to be recorded under the sign on the record sheets used on vehicles registered in its territory.

(b) It must be possible, from the characteristics of the traces, their relative positions and if necessary the signs laid down in paragraph 4 (a) to distinguish clearly between the various periods of time.

The various periods of time should be differentiated from one another on the record by differences in the thickness of the relevant traces, or by any other system of at least equal effectiveness from the point of view of legibility and ease of interpretation of the record.

(c) In the case of vehicles with a crew consisting of more than one driver, the recordings provided for in paragraph 4 (a) must be made on two separate sheets, each sheet being allocated to one driver. In this case, the forward movement of the separate sheets must be effected either by a single mechanism or by separate synchronized mechanisms.

D. CLOSING DEVICE

1. The case containing the record sheet or sheets and the control of the mechanism for resetting the clock must be provided with a lock.
2. Each opening of the case containing the record sheet or sheets and the control of the mechanism for resetting the clock must be automatically recorded on the sheet or sheets.

E. MARKINGS

1. The following markings must appear on the instrument face of the control device:

Close to the figure shown by the distance recorder, the unit of measurement of distance, indicated by the abbreviation "km",

near the speed scale, the marking "km/h",

the measurement range of the speedometer in the form "Vmin ... km/h, Vmax ... km/h". This marking is not necessary if it is shown on the descriptive plaque of the equipment.

However, these requirements shall not apply to control devices approved before 10 August 1970.

2. The descriptive plaque must be built into the equipment and must show the following markings, which must be visible on the control device when installed:

name and address of the manufacturer of the equipment,

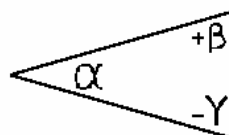
manufacturer's number and year of construction,

approval mark for the control device type,

the constant of the equipment in the form "k = ... rev/km" or "k = ... imp/km",

optionally, the range of speed measurement, in the form indicated in point 1,

should the sensitivity of the instrument to the angle of inclination be capable of affecting the readings given by the equipment beyond the permitted tolerances, the permissible angle expressed as:



where α is the angle measured from the horizontal position of the front face (fitted the right way up) of the equipment for which the instrument is calibrated, while β and γ represent respectively the maximum permissible upward and downward deviations from the angle of calibration α .

F. MAXIMUM TOLERANCES (VISUAL AND RECORDING INSTRUMENTS)

1. On the test bench before installation:

(a) distance travelled:

1% more or less than the real distance, where the distance is at least 1 kilometre;

(b) speed:

3 km/h more or less than the real speed;

(c) time:

\pm two minutes per day with a maximum of 10 minutes per 7 days in cases where the running period of the clock after rewinding is not less than that period.

2. On installation:

(a) distance travelled:

2% more or less than the real distance, where that distance is at least 1 kilometre;

(b) speed:

4 km/h more or less than real speed;

(c) time:

\pm two minutes per day, or

\pm 10 minutes per seven days.

3. In use:

(a) distance travelled:

4% more or less than the real distance, where that distance is at least 1 kilometre;

(b) speed:

6 km/h more or less than the real speed;

(c) time:

\pm two minutes per day, or

\pm 10 minutes per seven days.

4. The maximum tolerances set out in paragraphs 1, 2 and 3 are valid for temperatures between 0° and 40° C, temperatures being taken in close proximity to the equipment.

5. Measurement of the maximum tolerances set out in paragraphs 2 and 3 shall take place under the conditions laid down in Chapter VI.

IV. RECORD SHEETS

A. GENERAL POINTS

1. The record sheets must be such that they do not impede the normal functioning of the instrument and that the records which they contain are indelible and easily legible and identifiable.

The record sheets must retain their dimensions and any records made on them under normal conditions of humidity and temperature.

In addition it must be possible by each crew member to enter on the sheets, without damaging them and without affecting the legibility of the recordings, the following information:

- (a) on beginning to use the sheet - his surname and first name;
- (b) the date and place where use of the sheet begins and the date and place where such use ends;
- (c) the registration number of each vehicle to which he is assigned, both at the start of the first journey recorded on the sheet and then, in the event of a change of vehicle, during use of the sheet;
- (d) the odometer reading:
at the start of the first journey recorded on the sheet,
at the end of the last journey recorded on the sheet,
in the event of a change of vehicle during a working day (reading on the vehicle to which he was assigned and reading on the vehicle to which he is to be assigned);
- (e) the time of any change of vehicle.

Under normal conditions of storage, the recordings must remain clearly legible for at least one year.

2. The minimum recording capacity of the sheets, whatever their form, must be 24 hours.

If several discs are linked together to increase the continuous recording capacity which can be achieved without intervention by staff, the links between the various discs must be made in such a way that there are no breaks in or overlapping of recordings at the point of transfer from one disc to another.

B. RECORDING AREAS AND THEIR GRADUATION

1. The record sheets shall include the following recording areas:

an area exclusively reserved for data relating to speed,

an area exclusively reserved for data relating to distance travelled,

one or more areas for data relating to driving time, to other periods of work and availability to breaks from work and to rest periods for drivers.

2. The area for recording speed must be scaled off in divisions of 20 kilometres per hour or less. The speed corresponding to each marking on the scale must be shown in figures against that marking. The symbol "km/h" must be shown at least once within the area. The last marking on the scale must coincide with the upper limit of the range of measurement.

3. The area for recording distance travelled must be set out in such a way that the number of kilometres travelled may be read without difficulty.

4. The area or areas reserved for recording the periods referred to in point 1 must be so marked that it is possible to distinguish clearly between the various periods of time.

C. INFORMATION TO BE PRINTED ON THE RECORD SHEETS

Each sheet must bear, in printed form, the following information:

- name and address or trade name of the manufacturer,
- approval mark for the model of the sheet,
- approval mark for the type or types of control devices in which the sheet may be used,
- upper limit of the speed measurement range, printed in kilometres per hour.

By way of minimal additional requirements, each sheet must bear, in printed form a time-scale graduated in such a way that the time may be read directly at intervals of 15 minutes while each 5-minute interval may be determined without difficulty.

D. FREE SPACE FOR HANDWRITTEN INSERTIONS

A free space must be provided on the sheets such that drivers may as a minimum write in the following details:

- surname and first name of the driver,
- date and place where use of the sheet begins and date and place where such use ends,
- the registration number or numbers of the vehicle or vehicles to which the driver is assigned during the use of the sheet,
- odometer readings from the vehicle or vehicles to which the driver is assigned during the use of the sheet,
- the time at which any change of vehicle takes place.

V. INSTALLATION OF CONTROL DEVICE

A. GENERAL POINTS

1. Control device must be positioned in the vehicle in such a way that the driver has a clear view from his seat of speedometer, distance recorder and clock while at the same time all parts of those instruments, including driving parts, are protected against accidental damage.
2. It must be possible to adapt the constant of the control device to the characteristic coefficient of the vehicle by means of a suitable device, to be known as an adaptor.

Vehicles with two or more rear axle ratios must be fitted with a switch device whereby these various ratios may be automatically brought into line with the ratio for which the control device has been adapted to the vehicle.

3. After the control device has been checked on installation, an installation plaque shall be affixed to the vehicle beside the device or in the device itself and in such a way as to be clearly visible. After every inspection by an approved fitter or workshop requiring a change in the setting of the installation itself, a new plaque must be affixed in place of the previous one.

The plaque must show at least the following details:

- name, address or trade name of the approved fitter or workshop,

characteristic coefficient of the vehicle, in the form "w = ... rev/km" or "w = ... imp/km",

effective circumference of the wheel tyres in the form "l = ... mm",

the dates on which the characteristic coefficient of the vehicle was determined and the effective measured circumference of the wheel tyres.

B. SEALING

The following parts must be sealed:

- (a) the installation plaque, unless it is attached in such a way that it cannot be removed without the markings thereon being destroyed;
- (b) the two ends of the link between the control device proper and the vehicle;
- (c) the adaptor itself and the point of its insertion into the circuit;
- (d) the switch mechanism for vehicles with two or more axle ratios;
- (e) the links joining the adaptor and the switch mechanism to the rest of the control device;
- (f) the casings required under Chapter III A 7 (b).

In particular cases, further seals may be required on approval of the control device type and a note of the positioning of these seals must be made on the approval certificate.

Only the seals mentioned in (b), (c) and (e) may be removed in cases of emergency; for each occasion that these seals are broken a written statement giving the reasons for such action must be prepared and made available to the competent authority.

VI. CHECKS AND INSPECTIONS

The Contracting Party shall nominate the bodies which shall carry out the checks and inspections.

1. Certification of new or repaired instruments

Every individual device, whether new or repaired, shall be certified in respect of its correct operation and the accuracy of its readings and recordings, within the limits laid down in Chapter III F 1, by means of sealing in accordance with Chapter V B (f).

For this purpose the Contracting Party may stipulate an initial verification, consisting of a check on and confirmation of the conformity of a new or repaired device with the type-approved model and/or with the requirements of this annex and its appendices or may delegate the power to certify to the manufacturers or to their authorized agents.

2. Installation

When being fitted to a vehicle, the control device and the whole installation must comply with the provisions relating to maximum tolerances laid down in Chapter III F 2.

The inspection tests shall be carried out by the approved fitter or workshop on his or its responsibility.

3. Periodic inspections

(a) Periodic inspections of the control device fitted to vehicles shall take place at least every two years and may be carried out in conjunction with roadworthiness tests of vehicles.

These inspections shall include the following checks:

that the control device is working correctly,

that the control device carries the type-approval mark,

that the installation plaque is affixed,

that the seals on the control device on the other parts of the installation are intact,

the actual circumference of the tyres.

(b) An inspection to ensure compliance with the provision of Chapter III F 3 on the maximum tolerances in use shall be carried out at least once every six years, although each Contracting Party may stipulate a shorter interval or such inspection in respect of vehicles registered in its territory. Such inspections must include replacement of the installation plaque.

4. Measurement of errors

The measurement of errors on installation and during use shall be carried out under the following conditions, which are to be regarded as constituting standard test conditions:

vehicle unladen, in normal running order,

tyre pressures in accordance with the manufacturer's instructions,

tyre wear within the limits allowed by law,

movement of the vehicle: the vehicle must proceed, driven by its own engine, in a straight line and on a level surface, at a speed of 50 ± 5 km/h; provided that it is of comparable accuracy, the test may also be carried out on an appropriate test bench.

Annex - Appendix 2

APPROVAL MARK AND CERTIFICATE

I. APPROVAL MARK

1. The approval mark shall be made up of:

A rectangle, within which shall be placed the letter 'E' followed by a distinguishing number for the country which has issued the approval in accordance with the following conventional signs:

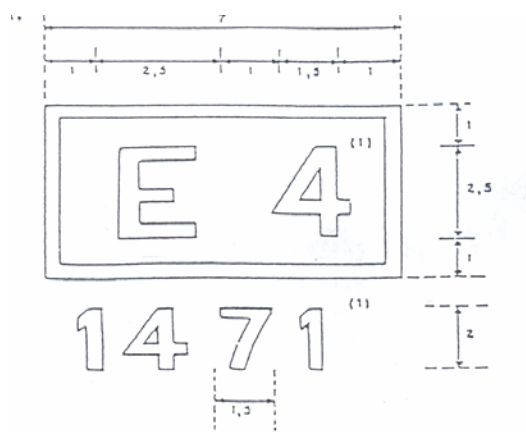
Norway	- 1	Germany	- 8	United Kingdom	- 14
Spain	- 2	Czech and Slovak Federal		France	- 15
Sweden	- 3	Republic	- 9	Union of Soviet Socialist	
Portugal	- 4	Belgium	- 10	Republics	- 16
Greece	- 5	Denmark	- 11	Italy	- 17
Yugoslavia	- 6	Luxembourg	- 12	Ireland	- 18
Austria	- 7	Netherlands	- 13		

Subsequent numbers shall be assigned to other countries in the chronological order in which they ratify or accede to the Agreement

and

An approval number corresponding to the number of the approval certificate drawn up for prototype of the control device or the record sheet, placed at any point within the immediate proximity of this rectangle.

2. The approval mark shall be shown on the descriptive plaque of each set of control device and on each record sheet. It must be indelible and must always remain clearly legible.
3. The dimensions of the approval mark drawn below are expressed in millimetres, these dimensions being minima. The ratios between the dimensions must be maintained.



II. APPROVAL CERTIFICATE

A Contracting Party having granted approval shall issue the applicant with an approval certificate, the model for which is given below. When informing other Contracting Parties of approvals issued or, if the occasion should arise, withdrawn, a Contracting Party shall use copies of that certificate.

APPROVAL CERTIFICATE

Name of competent administration

Notification concerning:*

- approval of a type of control device
- withdrawal of approval of a type of control device
- approval of a model record sheet
- withdrawal of approval of a record sheet

.....

Approval No.

1. Trade mark or name
2. Name of type of model
3. Name of manufacturer
4. Address of manufacturer
-
5. Submitted for approval on
6. Tested at
7. Date and number of test report
8. Date of approval
9. Date of withdrawal of approval
10. Type or types of control device in which sheet is designed to be used
-
11. Place
12. Date
13. Descriptive documents annexed

14. Remarks
(Signature)

* Delete items not applicable.

EUROPEAN AGREEMENT

concerning

THE WORK OF CREWS OF VEHICLES ENGAGED IN INTERNATIONAL ROAD TRANSPORT (AETR)

done at Geneva on 1 July 1970

Amendment 3*

Article 10 – Control device

At the end of paragraph 1, subparagraph (a) of this article add the following sentence:

“A control device which as regards construction, installation, use and testing complies with Council Regulation (EEC) No. 3821/85 of 20 December 1985 shall be deemed to be in compliance with the requirements of this article.”

Article 13 – Transitional provisions

Amend to read:

“The provisions of new article 10 – Control device, shall not become mandatory for countries Contracting Parties to this Agreement until 24 April 1995. Before that date the provisions of the old article 12 – Individual control book, and the old article 12 bis – Control device, shall continue to apply.”

Annex – Appendix 2, chapter I

APPROVAL MARK AND CERTIFICATE

I. APPROVAL MARK

Amend to read:

“1. The approval mark shall be made up of:

A rectangle, within which shall be placed the letter ‘e’ followed by a distinguishing number for the country which has issued the approval in accordance with the following conventional signs:

Germany	– 1	Romania	– 19
France	– 2	Poland	– 20
Italy	– 3	Portugal	– 21
Netherlands	– 4	Russian Federation	– 22
Sweden	– 5	Greece	– 23
Belgium	– 6	Ireland	– 24
Czech Republic	– 8	Croatia	– 25
Spain	– 9	Slovenia	– 26
Yugoslavia	– 10	Slovakia	– 27
United Kingdom	– 11	Belarus	– 28
Austria	– 12	Estonia	– 29
Luxembourg	– 13	Republic of Moldova	– 30
Norway	– 16	Bosnia and Herzegovina	– 31
Denmark	– 18	Latvia	– 32

* Entered into force on 28 February 1995

Subsequent numbers shall be assigned:

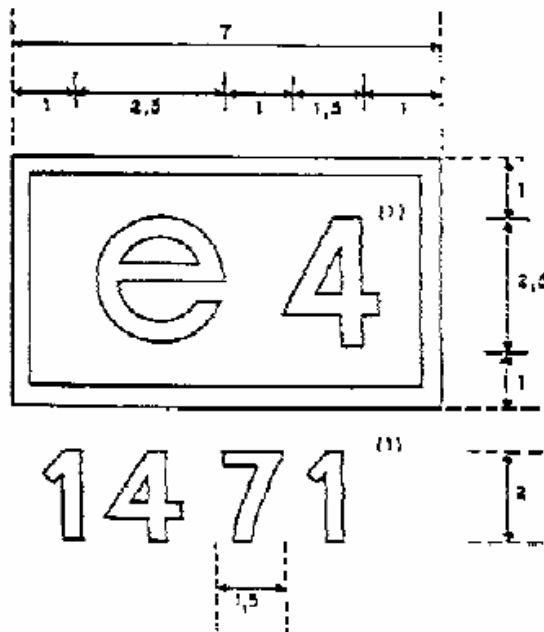
- i. To countries Contracting Parties to the 1958 Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts the same numbers as assigned to those countries by that Agreement;
- ii. To countries non-Contracting Parties to the 1958 Agreement – in the chronological order in which they ratify or accede to this Agreement

and

An approval number corresponding to the number of the approval certificate drawn up for the prototype of the control device or the record sheet, placed at any point within the immediate proximity of this rectangle.

Note: In order to ensure in the future conformity between conventional signs in the 1958 Agreement and those set up in the AETR Agreement new Contracting Parties should be allocated the same number in both Agreements.

2. The approval mark shall be shown on the descriptive plaque of each set of control device and on each record sheet. It must be indelible and always remain clearly legible.
3. The dimensions of the approval mark drawn below are expressed in millimetres, these dimensions being minima. The ratios between the dimensions must be maintained.



(1) These figures are shown for guidance only.”