

Transport Council

New tachograph rules: Doubts over costs

By Isabelle Smets | Friday 07 October 2011

Fraudulent readings of tachographs, the machines used to check the hours worked by lorry and bus drivers, are common, most member states agreed during the Transport Council in Luxembourg, on 6 October. It would therefore be wise to improve the current rules on tachographs, as well as the machines themselves, ministers concluded. However, not all delegations were convinced that the new rules proposed by the European Commission last July are cost-effective (see *Europolitics*4246).

The proposed measures include the use of satellite positioning to locate vehicles (replacing the current practise of manually recording information), remote communication with the monitoring authorities, and the merging of driving licenses and driver cards (which identify drivers and allow the storing of information on their activities). According to the Commission, these measures will help prevent fraud and lighten the administrative burden - and, therefore, costs - which transport companies currently face. However, for many delegations these benefits remain to be seen. Here is a quick round-up of the opinions expressed at the Council:

"We have difficulty understanding how the Commission came to the conclusion that we will save money with these measures" (Carl von der Esch, Swedish secretary of state for transport); 'We think that the benefits have perhaps been over-estimated" (Andy Lebrecht, UK deputy permanent representative to the EU); 'We doubt that the advantages outweigh the costs" (Etienne Schouppe, Belgian secretary of state for transport). The Netherlands spoke of "nebulous costs" and "poorly defined advantages," while Spain, Latvia, Slovenia, Cyprus, Romania, Denmark, Greece and Ireland asked for further clarification of the costs involved in the proposed measures. For Portugal, the proposal is "premature and too ambitious".

Particular reservations were expressed on the merging of driving licenses and cards: on this issue, the Netherlands was "very sceptical," while Italy believed that "further reflection" was required, and Cyprus expressed "reservations". The timetable for implementation seemed "very ambitious" to France, while Lithuania and Slovenia called for "more realistic" deadlines. Meanwhile, Germany brought up the subject of exceptions, saying that supplementary measures in addition to the use of the tachograph machine are required. Compared to the current situation, however, the exceptions have been expanded in the Commission proposal.

PRIVACY MUST BE PROTECTED

During the Council debate, several member states also emphasised the need to adhere to a strict respect for privacy. This view has been echoed by the European Data Protection Supervisor (EDPS), who adopted an opinion on the Commission proposal on the same day as the Transport Council. The EPDS' opinion points to the risk of mistakes, and calls for additional safeguard measures.

"The introduction of a new digital tachograph could turn out to be extremely privacy-invasive if its use is not adequately safeguarded. There is a risk that privacy-unfriendly measures could be developed

by industry in the absence of clear modalities governing the use and storage of drivers' data so long as the update of technical specifications is pending," said Giovanni Buttarelli, EDPS assistant supervisor.

The EDPS calls for the exclusion of the installation and use of devices for the purpose of allowing employers to survey remotely, in real time, drivers' movements; for the general modalities on the use of personal information from tachographs to be clearly defined in the proposal; and for security requirements to be further developed, in particular with a view to preserving data confidentiality.

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