

Guidance note on a standard form for the written statement on the removal or breakage of a tachograph seal by a control officer

Issue: harmonisation of the written statement relating to the removal or breakage of a tachograph seal by a control officer, according to the fourth subparagraph of Article 22 (5) of Regulation (EU) 165/2014¹.

Legal basis: Fourth subparagraph of Article 22(5) of Regulation (EU) No 165/2014.

Article 22(5) of Regulation (EU) No 165/2014 sets out specific conditions under which a seal may be removed or broken.

If the conditions laid down in the first indent of the second subparagraph and in the fourth subparagraph of Article 22(5) are met and an operation to remove or break the seal for control purposes takes place, a written statement must be issued by the control officer conducting the operation. Such written statement must contain minimum information which is set out by the said fourth subparagraph. The present note proposes a standard form of such a written statement, which may be used in a harmonised way across the Union should all Member State control authorities decide so.

Approach to be followed:

The information for the written statement laid down in the fourth subparagraph of Article 22(5) is provided in Annex 1.

Information marked with the symbol (*) is mandatory, as laid out in the fourth subparagraph of Article 22(5) of Regulation (EU) 165/2014. Other information set out in Annex 1 is not mandatory but may be deemed useful depending on the specific seal operation to be carried out by the control authorities.

Annex 2 provides a template of a standard form which can be used and issued by enforcement authorities during their checks, which is consistent with Annex 1. It is recommended that control officers use this standard form during their operations. It is recommended that the driver keeps the original copy of this document on board the vehicle and that the authority conducting the operation keeps a copy. The rear side of the standard form contains information relating to seals which can be of help to control authorities when checking the compliance of seals found in vehicles.

This guidance note is intended to assist drivers, undertakings and authorities in the application of Regulation (EU) No 165/2014. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law.

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 Text with EEA relevance (OJ L 60, 28.2.2014, p. 1).

ANNEX 1

Suggested information for the written statement as laid down in Article 22(5), fourth subparagraph of Regulation (EU) No 165/2014

1. (*) Member state of the control authority
2. (*) Name of the control authority
3. (*) Name of the control officer
4. (*) Number of the control card
5. (*) Date and time of seal removal or breakage

6. Location of the seal removal or breakage (e.g. checkpoint, direction)
7. (*) Vehicle Identification Number (VIN)
8. Vehicle Registration Number (VRN)
9. (*) Number of the removed or broken seal: *MMNNNNNNNN*
 - a. If applicable, Special mark on the removed or broken seal
10. (*) If applicable, number of the new seal placed: *MMNNNNNNNN*
 - a. If applicable, special mark on the new seal (placed by the control officer)
11. Date of last valid calibration
12. Other remarks

13. Driver of the vehicle at the time of control
14. Driver signature
15. Officer signature (and stamp if available)

ANNEX 2 – Possible standard form for enforcement authorities

logo control authority

1) Member state of the control authority*:
2) Name of the control authority*:
3) Name of the control officer*:
4) Number of the control card*:
5) Date and time of seal removal or breakage*:

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6) Location of the seal removal or breakage (e.g. checkpoint / Direction):	
7) VIN (Vehicle Identification Number)*:	
8) VRN (Vehicle Registration Number):	
9) Number of the <u>removed or broken</u> seal* (MMNNNNNNNN):	9a) If applicable, special mark on removed or broken seal:
10) If applicable, number of the <u>new</u> seal placed* (MMNNNNNNNN):	10a) If applicable, special mark on new seal (contr. officer):
11) Date of last valid calibration:	
12) Other remarks	

Please keep this document in the vehicle and hand it over to authorised persons (e.g. control officers during roadside checks and / or approved workshop for the next calibration).

13) Driver at the time of the control, 14) Driver signature, 15) Officer signature,

INFORMATION RELATING TO TACHOGRAPH SEALS FOUND IN VEHICLES

*If the date of last valid calibration of the smart tachograph (built in accordance with **Annex IC**) is carried out from **1 March 2022**, certified seals according to the standard EN 16882:2016 (marked with a “T-logo”) **must** be fitted on the smart tachograph.*

*Seals placed on tachographs built in accordance with **Annex I or Annex IB** may, but must not, be seals according to standard EN 16882:2016.*
