



EUROPEAN COMMISSION

DIRECTORATE-GENERAL MOBILITY AND TRANSPORT

Directorate DDG1.D – Logistics, Maritime and Land Transport and Passenger Rights
D.3 – Land Transport

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MANDATE TO CEN, CENELEC AND ETSI CONCERNING STANDARDIZATION WITHIN THE CONTEXT OF REGULATION NO. 3821/85 ON RECORDING EQUIPMENT IN ROAD TRANSPORT, FOR THE PURPOSE OF DEVELOPING SEALS FOR DIGITAL TACHOGRAPHS

1. OBJECTIVE

The key purpose of this mandate is to ask the European Standardisation organisations (ESOs) to develop a new standard for the mechanical seals used on tachographs. The initiative aims to enhance the security of tachographs by making them less vulnerable to tampering.

2. GROUNDS

The tachograph plays a crucial role to control compliance with the rules on driving time and rest periods by professional road transport drivers. It contributes to improving road safety, drivers' working conditions and to ensure fair competition amongst road transport companies. The normative act of reference in this field is Council Regulation (EEC) No 3821/85¹.

A proposal to revise this Regulation, adopted by the Commission on 19 July 2011², introduces a number of novelties which will require to change its Annex IB laying down the technical specifications of the digital tachograph.

The proposal also foresees to upgrade the security mechanisms which need to be enhanced in order to continue to guarantee a high level of security and avoid fraud and tampering of the data recorded by tachographs.

Seals are intended as a means of detecting by visual inspection the tampering of the mechanical interface between the different parts of the tachograph (the motion sensor and the gearbox), which are sealed by approved workshops after installation. According to a study by the Joint Research Center,³ seals are currently not requested to match a

¹ Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport, OJ L 370, 31.12.1985, p. 8

² COM(2011)0451

³ JRC, Report on the vulnerability and controllability of the digital tachograph, 2010.

minimum performance level at the European level or to comply with a specific standard, thus making them easier to be forged and subject to differentiated degradation over time.

Taking into account *inter alia* the abovementioned study, the Impact Assessment carried out by the European Commission in the preparation of the proposal came to the conclusion that for seals used in the tachograph system, harmonised standards should be developed by the appropriate standardisation bodies.

In order to launch such a procedure, the Commission addresses this mandate to the ESOs in the context of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations⁴ which sets out the framework for standardisation activities.

3. DESCRIPTION OF THE MANDATED WORK

The European Commission estimates that before starting to work on developing the new standard, the ESOs should consider the possibility of examining whether identical or similar standards have been developed, and, if applicable, try to seek inspiration from standardization which has been carried out for other types of seals⁵.

The ESOs should then develop an European standard for seals to be used on tachograph systems.

For the purpose of defining the requirements for standardisation, the ESOs should take into account the particular environment in which the seals have to be placed (high variations in temperature, exposure to mechanical shocks) and should stress the necessity to identify the workshops entrusted with the installation of the seals. The seal should be conceived as part of a security system to determine whether the tachograph was tampered or attempted to be tampered.

Once accomplished, the standardisation under consideration should allow easier detection of damaged seals, identification of workshops that performed the installation and avoid misunderstandings between operators and enforcement officers.

⁴ OJ L 204, 21.7.1998, p. 37–48

⁵ For instance, as it concerns mechanical freight container seals, ISO 17712:2010 establishes uniform procedures for their classification, acceptance and withdrawal of acceptance. This ISO standard provides a single source of information on mechanical seals which are acceptable for securing freight containers in international commerce. In its standard description, ISO states that "...the purpose of mechanical seals is, as part of a security system, to determine whether a freight container has been tampered with, i.e. whether there has been unauthorized entry into the container through its doors. Seals can be effective only if seal users properly select, store, account for, apply, document and attend to seals prior to use and in use; whilst these issues are not addressed in ISO 17712:2010, they are relevant to successful use of the seals covered by ISO 17712:2010. Seals that conform to ISO 17712:2010 are suitable for other applications, such as bulk railcars or truck trailers used in cross-border and domestic operations. Users and regulatory agencies can apply ISO 17712:2010 to other applications as they deem appropriate". (http://www.iso.org/iso/iso_catalogue/catalogue_tc/catalogue_detail.htm?csnumber=41017)

4. EXECUTION OF THE MANDATE

4.1. The timetable for the mandated work

The ESOs shall, taking into account the preliminary consultation with the ESOs and other stakeholders before this mandate was issued by the European Commission:

- indicate, within one month, following the receipt of the request, if they accept this mandate deliver a work programme and indicative timetable for the execution of the mandate within two months, following the receipt of the request, and
- deliver the requested standard within 30 months from the acceptance of the mandate.

4.2. Cooperation with International organisations

The mandate shall take into account other ongoing standardisation work, in the work of the recognised International standardisation organisations.

4.3. Reporting requirements

The standard shall be developed in full cooperation with the Commission services.

The ESOs shall provide

- a progress report on the mandated work every 12 months after acceptance of the mandate, and
- a final report after delivering the requested standard(s) to notify the fulfilment of this mandate.

The Commission shall be informed each time separately when work items are added to or removed from the mandated work programme.

4.4. Organisations to be involved

The ESOs should make sure that relevant representative European organisations are invited to take part in the standardisation work.

When developing the standard, the the ESOs shall take into account the needs of SMEs.

The ESOs are also requested to consult with the European Commission Directorate-General Joint Research Centre in order to explore if the Commission's research institutes dispose of specific competence to support the standardisation work.

4.5. Delivery of standards

The text of the European standards shall be delivered to the Commission in all the respective working languages of the ESOs.