

# SURVEY ON ADMINISTRATIVE/FINANCIAL/PENAL SANCTIONS IN CASE OF NON-COMPLIANCE WITH DRIVER RECORDS, TACHOGRAPH AND REST PERIOD REGULATIONS FOR INTERNATIONAL ROAD TRANSPORT OPERATIONS

## BULGARIA

COUNTRY BULGARIA.													
Contact person: Emilia KETIBOVA Email: <a href="mailto:emilia.ketibova@bgt.com">emilia.ketibova@bgt.com</a>													
ADMINISTRATIVE/FINANCIAL/PENAL SANCTIONS IN CASE OF NON-COMPLIANCE WITH DRIVER RECORDS, TACHOGRAPH AND REST PERIOD REGULATIONS FOR INTERNATIONAL ROAD TRANSPORT OPERATIONS													
DEFINITION OF OFFENCES	PERSONS SANCTIONED	SANCTIONS							COMPROMISE SETTLEMENT Amount of reduced fine if paid on the spot	TIME LIMIT FOR APPEAL			
		Administrative sanctions			Financial sanctions		Penal sanctions						
<b>Driving hours and rest period offences</b>													
<b>EU legislation</b>													
Contravention of EU rules regarding driving and rest periods - very serious offence	non-compliance with provisions about the driving time & rest period	yes (CRA, art.93 par.4)				still no regulation adopted	not foreseen	not foreseen+12	up to BGN 1500 for the driver; up to 1000 BGN for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Contravention of EU rules regarding driving and rest periods - serious offence	non-compliance with provisions about the driving time & rest period	yes (CRA, art.93 par.4)	yes (CRA, art.104)	not foreseen	not foreseen	temporary withdrawal of the driver's licence (CRA, art.106a par.1 p.2)	not foreseen	in case of repeated offences withdrawal of the company's licence (CRA, art.96 par.3 p.1)	up to BGN 1500 for the driver; up to 1000 BGN for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Contravention of EU rules regarding driving and rest periods - minor offence	non-compliance with provisions about the driving time & rest period	yes (CRA, art.93 par.4)	yes (CRA, art.104)	not foreseen	not foreseen	temporary withdrawal of the driver's licence (CRA, art.106a par.1 p.2)	not foreseen	in case of repeated offences withdrawal of the company's licence (CRA, art.96 par.3 p.1)	up to BGN 1500 for the driver; up to 1000 BGN for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
<b>National legislation</b>													
Contravention of national rules regarding driving and rest periods - serious offence	non-compliance with provisions about the driving time & rest period	yes (CRA, art.93 par.4)	yes (CRA, art.104)	not foreseen	not foreseen	temporary withdrawal of the driver's licence (CRA, art.106a par.1 p.2)	not foreseen	in case of repeated offences withdrawal of the company's licence (CRA, art.96 par.3 p.1)	up to BGN 1500 for the driver; up to 1000 BGN for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Contravention of national rules regarding driving and rest periods - minor offence	non-compliance with provisions about the driving time & rest period	yes (CRA, art.93 par.4)	yes (CRA, art.104)	not foreseen	not foreseen	temporary withdrawal of the driver's licence (CRA, art.106a par.1 p.2)	not foreseen	in case of repeated offences withdrawal of the company's licence (CRA, art.96 par.3 p.1)	up to BGN 1500 for the driver; up to 1000 BGN for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
<b>Driver recording offences (tachograph)</b>													
<b>EU legislation</b>													
Failure to use EU required recording equipment - very serious offence	Failure to use or destroy EU required recording equipment (tachograph)	yes (CRA, art. 95 par.1)	yes (CRA, art.104)	not foreseen	not foreseen	not foreseen	not foreseen	not foreseen	up to BGN 1000 for the driver; up to 1500 for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Failure to use EU required recording equipment - serious offence	Failure to use or destroy EU required recording equipment (tachograph)	yes (CRA, art. 95 par.1)	yes (CRA, art.104)	not foreseen	not foreseen	not foreseen	not foreseen	not foreseen	up to BGN 1000 for the driver; up to 1500 for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Failure to use EU required recording equipment - minor offence	Failure to use or destroy EU required recording equipment (tachograph)	yes (CRA, art. 95 par.1)	yes (CRA, art.104)	not foreseen	not foreseen	not foreseen	not foreseen	not foreseen	up to BGN 1000 for the driver; up to 1500 for the company	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
<b>National legislation</b>													
Failure to use recording equipment and/or to allow alteration of the record activities as required by national rules (record books) - very serious offence	Failure to use recording equipment and/or to allow alteration of the record activities as required by national rules (record books)	yes (CRA, art. 93 par.1 & art. 96 par.1 p.10)	yes (CRA, art. 96 par.1 p.5)	not foreseen	not foreseen	in case of repeated offences (CRA, art.96 par.3 p.1)	not foreseen	not foreseen	from BGN 1500 for the driver; for the company up to BGN 3000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Failure to use recording equipment and/or to provide documents required by national rules (record books)	Failure to use recording equipment and/or to provide documents required by national rules (record books)	yes (CRA, art. 93 par.1)	yes (CRA, art. 96 par.1 p.7)	not foreseen	not foreseen	in case of repeated offences (CRA, art.96 par.3 p.1)	not foreseen	not foreseen	from BGN 1500 for the driver; for the company up to BGN 3000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Failure to use recording equipment and/or to transport passengers or goods with a motor vehicle equipped with digital tachograph by a driver without driver card	Failure to use recording equipment and/or to transport passengers or goods with a motor vehicle equipped with digital tachograph by a driver without driver card	yes (CRA, art. 93 par.1)	yes (CRA, art. 96 par.1 p.5)	not foreseen	not foreseen	in case of repeated offences (CRA, art.96 par.3 p.1)	not foreseen	not foreseen	from BGN 1500 for the driver; for the company up to BGN 3000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
<b>EU legislation</b>													
Failing to comply with requirements relating to preserving EU records for inspection	Failure to keep the tachograph's discs or other information recorded by the tachographs	yes (CRA, art. 96 par.1 p.5)	yes (CRA, art. 96 par.1 p.5)	not foreseen	not foreseen	in case of repeated offences (CRA, art.96 par.3 p.1)	not foreseen	not foreseen	up to BGN 3000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
<b>National legislation</b>													
Failing to comply with requirements relating to preserving national records for inspection	Failure to keep the tachograph's discs or other information recorded by the tachographs	yes (CRA, art. 96 par.1 p.5)	yes (CRA, art. 96 par.1 p.5)	not foreseen	not foreseen	in case of repeated offences (CRA, art.96 par.3 p.1)	not foreseen	not foreseen	up to BGN 3000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
<b>Other infringements</b>													
Obstructing an inspecting officer at checkpoint	Obstructing an inspecting officer at checkpoint	yes (RTA, art. 175 par. 3)		not foreseen	not foreseen	not foreseen	not foreseen	not foreseen	up to BGN 1000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Failure to stop at checkpoint	Failure to stop at checkpoint	yes (RTA, art. 175 par. 4)		not foreseen	not foreseen	not foreseen	not foreseen	not foreseen	up to BGN 1000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
Failure to follow officer instructions	Failure to provide for control the tachograph's discs or other information recorded by the tachographs	yes (CRA, art. 96 par.1 p.6)	yes (CRA, art. 96 par.1 p.6)	not foreseen	not foreseen	in case of repeated offences (CRA, art.96 par.3 p.1)	not foreseen	not foreseen	up to BGN 3000	not foreseen	not foreseen	not foreseen	7 days (AVSA, art. 59) Penal Order
<b>Any other comments regarding this questionnaire, please add here</b>													
National legislation: Carriages by Road Act (CRA), State Gazette No. 82/17.09.1999, last amend. in No 41/1.06.2010 Road Traffic Act (RTA), published in State Gazette No. 20/1999, last amend. in No 54 or 16.07.2010 Administrative Violations and Sanctions Act (AVSA), State Gazette No. 92/28.11.1968, last amend. in No. 27/10.04.2009		EUR 1 = BGN 1,95583											