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

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Contact person:	Victoria Mets ADM	NISTRATIVE/FINANCIA	E-mail: victoria@eraa. AL/PENAL SANCTIONS	ee IN CASE OF NON-CO!	IPLIANCE WITH DRIVER	RECORDS, TACHOGR	APH AND REST PERIO	REGULATIONS FOR I	NTERNATIONAL ROAD	TRANSPORT OPERAT	TIONS		
		PERSONS SANCTIONED		SANCTIONS							COMPROMISE SETTLEMENT Amount of reduced fine if paid on the spot	TIME LIMIT FOR APPEAL	
	DEFINITION OF OFFENCES			Administrative sanctions					Financial sanctions	Penal sanctions		Admin procedure (please Legal proceedings (please	
		Driver	Company	Verbal warning	Points recorded against driver's licence	Licence withdrawal	Vehicle immobilisation	Disqualification for transport manager	Max fine	Max prison sentence		provide number of days of appeal period and name legal act)	provide number of days of appeal period and name legal act)
Driving hours and rest period offences													
EU legislation Contravention of EU rules													
regarding driving and rest periods - very serious													
offence Contravention of EU rules													
regarding driving and rest periods - serious offence													
Contravention of EU rules regarding driving and rest													
periods - minor offence National legislation													
Contravention of national rules regarding driving and	Exceeding daily driving time more than 2 hours (§	Fine of up to 200 fine units**	No sanctions	not applied (hereinafter blank if not applied)	not applied (hereinafter blank if not applied)	companies registered in	transport operation until	applicable	200 fine units (800EUR)		not applied (hereinafter blank if not applied)	proceedings and persons	Within 15 days as of the receipt of the decision by
rest periods - serious offence	246 (2) TA*) Insufficient daily resting period of more than 2 h (§ 249 (2) TA)					Estonia	the circumstances which caused the suspension are clarified or cease to exist.					not participating in the proceedings have the right to file appeals against the activities of a body conducting extra-judicial proceedings with the head of the body <u>until</u> the decision is <u>made</u> in the <u>matter by the body</u> . (§ 76 of the Code of Mp***)	the person subject to proceedings or within 15 days as of the date when the decision became available for examination by the participants in the proceedings at the body. (§ 1114 of the Code of MP
rules regarding driving and	Exceeding daily driving time up to 2 hours (§ 246	Fine of up to 100 fine units**	No sanctions						100 fine units (400EUR)			The same	The same
rest periods - minor	(1) TA) Insufficient daily resting period of less than 2 h (§ 249 (1) TA)												
Driver recording offences (tachograph)													
EU legislation Failure to use EU required	1												
recording equipment (tachograph) - very serious													
offence Failure to use EU required recording equipment (tachograph) - serious													
offence Failure to use EU required													
recording equipment (tachograph) - minor offence	,												
National legislation Failure to use recording	Incorrect use of record	up to 100 fine units	up to 3200 EUR						3200 EUR			The same	The same
equipment and/or to record activities as required by national rules (record books) - very	sheets/driver cards - § 217 TA					applicable only for companies registered in							
serious offence	Violation of requirements	up to 100 fine units				Estonia						The same	The same
equipment and/or to record activities as required by national rules (record books) - serious	for tachograph or use thereof												
offence	Violation of requirements	un to 100 fine ····ite	up to 300 fine units						300 fine units (1200 EUR) 100 fine units (400 EUR)			The same	The same
equipment and/or to record activities as required by national rules	for tachograph or use thereof	op to 100 line units							THE UNITS (400 EUR)			rine salite	inc. same
(record books) - minor offence													
EU legislation Failing to comply with													
requirements relating to preserving EU records for inspection National legislation													
Failing to comply with		up to 100 fine units											
requirements relating to preserving national records for inspection	ĺ												
Other infringements												The come	The came
Obstructing an inspecting officer at checkpoint	Disregard of a lawful order given by a representative of state authority (§ 276 of the Penal code)											The same	The same
Failure to stop at	The intentional ignoring of	up to 200 fine units							800 EUR	detention up to 30 days		The same	The same
checkpoint	a mandatory stop signal for a vehicle by a driver of a vehicle (§ 234 TA)								200 fine units (800EUR)	detention up to 30 days			
Failure to follow officer instructions	Disregard of a lawful order given by a representative								,,,,,	,,*		The same	The same
	of state authority (§ 276 of the Penal code)								800 EUR	detention up to 30 days			
Any other comments regarding this questionnaire, please add here	*TA - Traffic Act ***fine un fine and is equal to € 4. *** Procedure	it is the base amount of a Code of Misdemeanour											
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