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

## **GERMANY**

Germany													
Contact person:	Dr. Alex Schindler ADI	MINISTRATIVE/FINANCI	AL/PENAL SANCTIONS	S IN CASE OF NON-CO	schindler@bgl-ev.des MPLIANCE WITH DRIVER	RECORDS, TACHOGR	APH AND REST PERIO	D REGULATIONS FOR	INTERNATIONAL ROAD	TRANSPORT OPERA	TIONS		
											COMPROMISE		
		PERSONS SANCTIONED			Administrative sanctions			SANCTIONS		Financial sanctions Penal sanctions		TIME LIMIT F	OR APPEAL
	DEFINITION OF					- Salicuolis			T III all cial salictions	r enai sancuons	SETTLEMENT	Admin procedure (please	Legal proceedings (please
	OFFENCES	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		,	,	,	,		,					T	
Contravention of EU rules regarding driving and rest periods - very serious offence	t S	yes	yes	no	no	possible only in case of repeated infringements	yes	not before the entry into force of Regulation 1071/2009	15000€	only in case of personal injury	no reduction	Para. 70 Verwaltungsgerichtsordnu ng - one month	one week after pronouncement of sentence, para 314 Strafprozessordnung
Contravention of EU rules regarding driving and rest periods - serious offence	s see link below t	yes	yes	no	no	no	no	same	same	same	same	same	same
Contravention of EU rules regarding driving and rest periods - minor offence	s see link below t	yes	yes	yes	no	no	no	no	same	same	same	same	same
National legislation													
Contravention of national	d												
rules regarding driving and rest periods - serious offence	3												
Contravention of national rules regarding driving	il 3												
and rest periods - minor offence Driver recording													
offences (tachograph)													
EU legislation Failure to use EU required	da a siala balani	L	ves			possible only in case of	ves	not before entry into force			ssame	same	same
recording equipment (tachograph) - very	t	yes	yes	no	no	repeated infringements	yes	of regulation (EC) 1071/09	same	no	ssame	same	same
serious offence Failure to use EU required		unn.	yes	no.	no	no.	no		same	no.	same	same	same
recording equipment (tachograph) - serious	t s	yes	yes	no .	III	iio	iio		same	iio	same	same	same
offence Failure to use EU required recording equipment		yes	yes	no	no	noyes	no		same	no	same	same	same
(tachograph) - minor offence	r												
National legislation Failure to use recording													
equipment and/or to record activities as													
required by national													
rules (record books) - very serious offence	-												
Failure to use recording	ı												
equipment and/or to record activities as			1										
required by national	ı		1										
rules (record books) - serious offence			I		1		]		]				
Failure to use recording	,												
equipment and/or to record activities as			1										
required by national			1										
rules (record books) - minor offence			<u>                                      </u>		<u> </u>		<u> </u>				<u> </u>		
EU legislation Failing to comply with	and the balance						in case of seroious						
requirements relating to	ol .	yes	yes	no	no no	no	in case of seroious infringements		same	IIIO	same	same	same
preserving EU records for inspection	1		I				1		1				
National legislation													
Failing to comply with requirements relating to			1										
preserving national records for inspection	d		1										
Other infringements													
Obstructing an inspecting officer at checkpoint	see link below	yes	no	no	no	no	same		same	no	same	ssame	same
Failure to stop at checkpoint	t												
Failure to follow officer instructions	r see link below	yes	no	no	no	no	same		same	no	same	same	same
Any other	For more inform	nation (in German) see: http	p://www.bag.bund.de/cae	/servlet/contentblob/1183	80/publicationFile/787/Busso	eld_Fahrpers.pdf							
comments regarding this questionnaire, please add here													

For more information (in German) see:

http://www.bag.bund.de/cae/servlet/contentblob/11830/publicationFile/787/Bussgeld\_Fahrpers.pdf