

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

**ROMANIA**

<b>Driving hours and rest period offences</b>	<b>Offence</b>	<b>Fine (RON)</b>
Contravention of EU rules regarding driving and rest periods - very serious offence  Idem  National legislation	Exceeding the maximum uninterrupted driving time by up to $\geq 2$ h;	4,000-8,000 (for transport undertaking/operator)
	Weekly driving period exceeding 14 hours or more	4,000-8,000 (for transport undertaking/operator)
	Exceeding the maximum driving period, in two consecutive weeks, 22 hours and 30 minutes or more	4,000-8,000 (for transport undertaking/operator)
	Exceeding the maximum uninterrupted driving time by an hour and 30 minutes or more	4,000-8,000 (for transport undertaking/operator)
	Disregard of minimum daily rest period with two hours and 30 minutes or more	4,000-8,000 (for transport undertaking/operator)
	Disregard of minimum daily rest period reduced by two hours or more;	4,000-8,000 (for transport undertaking/operator)
	Disregard of fractionally daily rest period of two hours or more	4,000-8,000 (for transport undertaking/operator)
	Disregard of the minimum rest time in a 30 h period, when vehicle is driven by a crew of minimum 2 drivers, by up to 2 h or more	4,000-8,000 (for transport undertaking/operator)
	Disregard of the reduced weekly minimum rest period of 4 hours or more	4,000-8,000 (for transport undertaking/operator)
	Disregard of normal weekly minimum rest period of 9 hours or more	4,000-8,000 (for transport undertaking/operator)
	Granting of payments to the drivers by the transport undertaking, even as a bonus or allowance, related to distances travelled and/or the amount of goods carried	4,000-8,000 (for transport undertaking/operator)
Contravention of EU rules regarding driving and rest periods - serious offence	Exceeding the maximum daily driving time by up to 2 h;	3,000-6,000 (for transport undertaking/operator)
	Weekly driving period exceeding more than 4 hours but less than 14 hours	3,000-6,000 (for transport undertaking/operator)
	Exceeding the maximum driving period, in two consecutive weeks, with more than 10 hours but less than 22 hours and 30 minutes;	3,000-6,000 (for transport undertaking/operator)
	Exceeding the maximum period of uninterrupted driving more than 30 minutes but less than one hour	3,000-6,000 (for transport undertaking/operator)

	and 30 minutes;	
	Disregard of minimum daily rest period reduced by more than one hour but less than two hours	3,000-6,000 (for transport undertaking/operator)
	Disregard of minimum daily rest period reduced by more than one hour but less than two hours	3,000-6,000 (for transport undertaking/operator)
	Disregard of fractionally daily rest period of more than one hour but less than two hours	3,000-6,000 (for transport undertaking/operator)
	Fail to comply with the minimum rest time in 30 h period, when vehicle is driven by a crew of minimum 2 drivers, by up to 2 h	3,000-6,000 (for transport undertaking/operator)
	Disregard of minimum weekly rest period reduced by more than two hours but less than 4h	3,000-6,000 (for transport undertaking/operator)
	Non-normal weekly minimum rest period of more than 3 hours but less than 9h	3,000-6,000 (for transport undertaking/operator)
Contravention of EU rules regarding driving and rest periods - minor offence	Exceeding the maximum daily driving time by up to 1 h	1,500-3,000 (for transport undertaking/operator)
	Exceeding the period leading up to 4 hours weekly	1,500-3,000 (for transport undertaking/operator)
	Driving period exceeding two consecutive weeks with up to 10 hours	1,500-3,000 (for transport undertaking/operator)
	Exceeding the maximum uninterrupted driving time by up to 30 minutes	1,500-3,000 (for transport undertaking/operator)
	Fail to comply with the minimum rest time in 24 h period by up to 1h	1,500-3,000 (for transport undertaking/operator)
	Disregard of minimum daily rest period reduced by up to one hour	1,500-3,000 (for transport undertaking/operator)
	Disregard of minimum fractionally daily rest period of up to one hour	1,500-3,000 (for transport undertaking/operator)
	Disregard of minimum daily rest period, within 30 hours, when the vehicle is driven by a crew of up to one hour	1,500-3,000 (for transport undertaking/operator)
	Disregard of minimum weekly rest period reduced by up to 2h	1,500-3,000 (for transport undertaking/operator)
	Disregard of normal weekly minimum rest period of up to 3 h	1,500-3,000 (for transport undertaking/operator)
<b>Driver recording offences (tachograph)</b>		
Failure to use EU required recording equipment (tachograph) - very serious offence	Use of a vehicle without tachograph or digital tachograph or use of non-approved tachographes or digital tachographes.	8,000-16,000 (for transport undertaking/operator)
	Installation/repair of tachographs not approved, non sealed, non calibrated, defective, incorrect sizing of tachographs or installation, repair, calibration of	8,000-12,000 (for the workshop which installed the tachograph, digital tachograph)

Idem  National legislation	tachographs by an unauthorized dealer;	or illegal devise )
	Use of non approved tachographs, non sealed, non calibrated, defective or with the validity of checking/calibration expired.	8,000-16,000 (for transport undertaking/operator)
	Driving a vehicle equipped with tachograph without using tachograph chart/ tachograph card.	4,000-8,000 (for driver)
	Voluntary damage of the tachograph	4,000-8,000 (for driver)
	Possession of more than one tachograph card by the driver	4,000-8,000 (for driver)
	Use of a tachograph card issued for another person by the driver	4,000-8,000 (for driver)
	Use of a used or expired tachograph card	4,000-8,000 (for driver)
	Unauthorized removal of the tachograph sheet from the tachograph or of the card of the digital tachograph tachograph card before the end of the working day, that affects recording relevant data	4,000-8,000 (for driver)
	Using dirty/damaged tachograph charts or cards with illegible data	4,000-8,000 (for driver)
	Use of the tachograph chart or tachograph card for a longer period than described, affecting recording relevant data.	4,000-8,000 (for driver)
	Fail to comply with the provisions of Art,15 (2) second theme of Council Regulation no,3821/85 related to manual input of some data	4,000-8,000 (for driver)
	Using a vehicle with digital tachograph vehicle by a driver who has no tachograph card	8,000-16,000 (for transport undertaking/operator)
	Fail to comply with the provisions of Art,15 (3) of Council Regulation no,3821/85 related to fixing tachograph using the switch.	4,000-8,000 (for driver)
	No filling in the tachograph chart data with the name and / or driver' surname.	4,000-8,000 (for driver)
	Remove, destroy data recorded on tachograph charts, those stored in memory of the tachograph or on the tachograph card or printed reports.	8,000-16,000 (for transport undertaking/operator)
	Installation of devices for handling illegal tachograph charts and / or tachograph cards.	8,000-12,000 (for transport undertaking or driver who installed the illegal devices)
	The use of handling illegal devices of tachograph, tachograph charts and / or tachograph cards	4,000-8,000 (for driver)
	Non declaration by the driver of the tachograph card loss or theft to the competent authority in the State in which this happened	4,000-8,000 (for driver)
	Misuse of the tachograph card or tachograph carts by the driver.	4,000-8,000 (for driver)

Failure to use EU required recording equipment (tachograph) - very serious offence  Idem  Failure to use recording equipment and/or to record activities as required by national rules (record books) - serious offence	Fail to comply with the provisions of Art,14 (1) of Council Regulation no.3821/85 related to ensuring a sufficient number of tachograph charts to perform transport operations	3,000-6,000 (for transport undertaking/operator)
	Failure to submit to the competent authority, by the driver, of an application to replace the tachograph card damaged, malfunctioning, lost or stolen within 7 days from the date of finding the damage, malfunction, loss or theft of.	3,000-6,000 (for driver)
	Noncompliance with the provision for setting the analogue tachograph clock	3,000-6,000 (for driver)
	No filling in the tachograph chart with starting and ending the trip data.	3,000-6,000 (for driver)
	No filling in the tachograph chart with registered km when starting the trip.	3,000-6,000 (for driver)
	Disregarding the provisions concerning the mandatory repair of the tachograph broken during the trip.	3,000-6,000 (for transport undertaking/operator)
	Lack of driver's signature on the manually registrations made when the tachograph broken or on the reports printed when the tachograph card is defective, lost or stolen.	3,000-6,000 (for driver)
Failure to use EU required recording equipment (tachograph) - minor offence  Idem  National legislation	Failure to provide the paper needed to print reports on traffic control.	1,500-3,000 (for transport undertaking/operator)
	The use of tachograph charts and tachograph cards dirty or damaged, with legible data	1,500-3,000 (for transport undertaking/operator)
	Unauthorized removal of the chart from the tachograph or of a card of the digital tachograph before completion of the working day, which does not affect the registration of relevant data	1,500-3,000 (for driver)
	Use of the tachograph chart or tachograph card for a longer period than described, which does not affect the registration of relevant data	1,500-3,000 (for driver)
	No filling in the tachograph chart of the data concerning the place of departure and arrival	1,500-3,000 (for driver)
	No filling in the tachograph chart of the data concerning the registration plate of the vehicle	1,500-3,000 (for driver)
	No filling in the tachograph chart of the data concerning the kilometers when arriving	1,500-3,000 (for driver)
	No filling in the tachograph chart of the data concerning the hour of changing the vehicle	1,500-3,000 (for driver)
	Failing to register in the tachograph the country symbol	1,500-3,000 (for driver)
Failing to comply with requirements relating to preserving EU records for	Road transport undertaking/operator fail to observe the obligation to unload and store at its headquarter, every 28 <sup>th</sup> day at the latest, the data from drivers' cards and/or fail to observe the obligation to unload and store at its headquarter, every 90 <sup>th</sup> day at the	8,000-16,000 (for transport undertaking/operator)

inspection (very serious offence)	latest, the data from the digital tachographs of the used vehicles	
Idem Failing to comply with requirements relating to preserving national records for inspection	Road transport undertaking/operator fail to observe the obligation to keep the records concerning drivers' driving times, breaks and rest periods for at least one year after performing them, in chronological order and separate for each driver,	8,000-16,000 (for transport undertaking/operator)
<b>Other infringements</b>		
Obstructing an inspecting officer at checkpoint (very serious offence)	Refuse during the control to allow the check, retaining or copying of any record concerning driver's driving times, breaks and rest periods	4,000-8,000 (for driver)
	Fail to provide, in traffic, the necessary number of tachograph sheets, the tachograph cards or the print-outs performed by digital tachograph printer, according to the provisions of Council Regulation no,3821/85 or AETR, if the case	4,000-8,000 (for transport undertaking/operator)
	Failure to present, during the control at the enterprise / operator, of the records on driving times, breaks and rest periods for drivers required by the inspection and control officers	4,000-8,000 (for transport undertaking/operator)
Failure to follow officer instructions (very serious offence)	Disregard of restraint measure by the inspection and control officers.	8,000-16,000 (for transport undertaking/operator)
Any other comments regarding this questionnaire, please add here	Falsification of data recorded on tachograph charts, or those stored in the tachograph or on the tachograph card or printed reports on the tachograph, manually registration records, as well as any document attesting the driver activity is sanctioned under criminal law.	
	When the offenses relating to driving time, rest breaks are found in traffic, and in all other situations in which the driver cannot prove the compliance with the breaks and / or minimum rest periods required by the legislation in force, in addition to the penalty of a fine referred to in paragraph (1) the vehicle will be immobilize until the legal conditions are fulfilled for further transportation	
	The offender can pay immediately or within 48 hours of the conclusion of the minute, or, as appropriate, from the date of its announcement, half of the minimum fine provided for in paragraph (1), the officer making mention in the minutes about this possibility	
	Contraventions referred to in this ordinance shall be found and punished by the inspection and control officers of the Romanian Road Authority – A.R.R., by the inspection and control officers of the Labour Inspection – I.M., the Ministry of Labour, Family and Equal Opportunities and by the road police, according to their competence	

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