

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

## UKRAINE

Contact person: <u>Dmitry Kamyk</u> Email: <u>kamyk@asmap.org.ua</u>													
<b>ADMINISTRATIVE/FINANCIAL/PENAL SANCTIONS IN CASE OF NON-COMPLIANCE WITH DRIVER RECORDS, TACHOGRAPH AND REST PERIOD REGULATIONS FOR INTERNATIONAL ROAD TRANSPORT OPERATIONS</b>													
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				
	Driver	Company	Verbal warning	Points recorded against driver's licence	Licence withdrawal	Vehicle immobilisation	Disqualification for transport manager	Max fine	Max prison sentence	Admin procedure (please provide number of days of appeal period and name legal act)	Legal proceedings (please provide number of days of appeal period and name legal act)		
<b>Driving hours and rest period offences</b>													
<b>EU legislation</b>													
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													
<b>National legislation</b>													
Contravention of national rules regarding driving and rest periods - serious offence													
<p>Violations of work and rest rules</p> <p>According to the Administrative Code (art. 133-1) the sanctions is fine of 40-45 tax-free allowance of citizens income</p> <p>According to the Administrative Code (art. 133-1) the sanctions is fine: 60-70 tax-free allowance of citizens income - for officials; According to the Law of Ukraine "About automobile transport" (art.60) the sanction is fine of 20 tax-free allowance of citizens income - for carrier (company).</p>													
<p>Contravention of national rules regarding driving and rest periods - minor offence</p> <p>For drivers: 62 - 70 EUR; For officials: 93 - 109 EUR; For company: 30 EUR.</p>													
<b>Driver recording offences (tachograph)</b>													
<b>EU legislation</b>													
Failure to use EU required 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													
<b>National legislation</b>													
Failure to use recording equipment and/or to record activities as required by national rules (record books) - very serious offence													
<p>Driving in international road transport, without a control devices (tachographs)</p> <p>According to the Law of Ukraine "About automobile transport" (art. 60) the sanction is fine of 40 tax-free allowance of citizens income - for carrier (company).</p>													
<p>Failure to use recording equipment and/or to record activities as required by national rules (record books) - serious offence</p> <p>For company: 62 EUR</p>													
<p>Failure to use recording equipment and/or to record activities as required by national rules (record books) - minor offence</p>													
<b>EU legislation</b>													
Failing to comply with requirements relating to preserving EU records for inspection													
<b>National legislation</b>													
Failing to comply with requirements relating to preserving national records for inspection													
<p>Driving without registration sheets</p> <p>According to the Law of Ukraine "About automobile transport" (art. 60) the sanction is fine of 40 tax-free allowance of citizens income - for carrier (company).</p>													
<p>For company: 62 EUR</p>													
<b>Other infringements</b>													
Obstructing an inspecting officer at checkpoint													
<p>failure to comply with the requirements of the elimination of violations</p> <p>According to the Law of Ukraine "About automobile transport" (art. 60) the sanction is fine of 40 tax-free allowance of citizens income - for carrier (company).</p>													
<p>For company: 62 EUR</p>													
Failure to stop at checkpoint													
Failure to follow officer instructions													
<b>Any other comments regarding this questionnaire, please add here</b>													
One tax-free allowance of citizens income = 17 UAH (about 1,56 EUR)													