

Draft Regulations laid before Parliament under section 101(3A) of the Transport Act 1968 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2015 No. 0000

ROAD TRAFFIC

**The Passenger and Goods Vehicles (Recording
Equipment) (Downloading of Data) Regulations 2015**

Made - - - - 2015
Coming into force - - 6th April 2015

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 95(1) of the Transport Act 1968(1).

In accordance with section 95(1) of the Transport Act 1968, the Secretary of State considers it expedient to make these Regulations in order to amend section 97D of the Transport Act 1968(2) to take account of Commission Regulation (EU) No 581/2010 on the maximum periods for the downloading of relevant data from vehicle units and from driver cards(3).

Representative organisations have been consulted in accordance with section 101(6) of the Transport Act 1968.

A draft of these Regulations was laid before and approved by a resolution of each House of Parliament in accordance with section 101(3A) of the Transport Act 1968(4).

Citation and commencement

1. These Regulations may be cited as the Passenger and Goods Vehicles (Recording Equipment) (Downloading of Data) Regulations 2015 and come into force on 6th April 2015.

Amendment of the Transport Act 1968

2.—(1) The Transport Act 1968 is amended as follows.

(2) In the table set out in section 97D(3), for the words “56 days”, in each place they occur, substitute “90 days”.

(1) 1968 c. 73. Section 95(1) was amended by the Road Traffic (Drivers’ Ages and Hours of Work) Act 1976 (c.3), section 2(1)(d), and by S.I. 2011/1043, article 6(2)(c).
(2) Section 97D was inserted by regulation 2 of the Passenger and Goods Vehicles (Recording Equipment) (Downloading and Retention of Data) Regulations 2008 (S.I. 2008/198).
(3) OJ No L 168, 2.7.2010, p16.
(4) Subsection (3A) was inserted by the Road Traffic (Drivers’ Ages and Hours of Work) Act 1976, section 2(1)(i).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The Passenger and Goods Vehicles (Recording Equipment) (Downloading of Data) Regulations 2015 No. 502

Signed by authority of the Secretary of State for Transport

Date

Name
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Transport Act 1968.

Article 10(5)(a)(i) of Regulation (EC) No 561/2006 (OJ No L 102, 11.4.2006, p.1) of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council regulation (EEC) No 3820/85 (“the 2006 Community Regulation”), requires transport undertakings that operate passenger service and goods vehicles fitted with EU compliant digital tachographs to download data from those tachographs at intervals stipulated by Member States.

Article 3(a) of Commission Regulation (EU) No 581/2010 (OJ No L 168, 2.7.2010, p.16) of 1 July 2010 on the maximum periods for the downloading of relevant data from vehicle units and from driver cards provides that the maximum interval between data downloads from digital vehicle tachographs must not exceed 90 days.

Regulation 2 of these Regulations amends section 97(D) of the Transport Act 1968 to provide that, where a transport undertaking is required by the 2006 Community Regulation to ensure that data is downloaded from a vehicle tachograph, the maximum interval between data downloads is increased from 56 days to 90 days.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.