



**Information associated to the new EU Regulations for Driver & Tachograph Offences
Regulation (EC) No 561/2006 of The European Parliament
And of The Council of 15th March 2006**

Question: What do you need to know about a professional driver before you allow him or her, to take a large goods vehicle, or passenger-carrying vehicle, onto the public highway?

A basic MACIS Regulations Guide & Check List:

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| 1 | Is he / she who they say they are? – An effective identity check by you is always an important requirement, that you must also record this information for your regulatory compliance | ✓ |
| 2 | Are they qualified to drive? – A Driving licence review with confirmation of the correct 'qualified' driving categorisations is clearly required, you again need to record this for your regulatory compliance | ✓ |
| 3 | Is the driver's licence presented for approval their actual (and real) current licence? – An issue and number check is also required to be carried out by you and again you need to record this for your regulatory compliance | ✓ |
| 4 | How many disqualification points are on the licence? (N.B. Most commercial insurances are void when the driver has 9 points or more); – A licence check, as above, but specifically for this point is therefore essentially required which you need to record for your regulatory compliance | ✓ |
| 5 | How many working days since their last weekly rest? – (N.B. Working days must include work for any employer even if that time did not include driving duties); You must obtain a confirmed '7 days' history from the driver and record this for your regulatory compliance | ✓ |
| 6 | How many working time hours have been completed so far in the current tachograph week? (N.B. If they are near or exceeding 60 hours they may not have sufficient working time left to complete another shift in the current tachograph week); - You again, need to obtain a confirmed 1 weeks' history from the driver and record this for your regulatory compliance | ✓ |
| 7 | What is their current working time average over the previous 17 weeks? (N.B. If they are near or exceeding the 48 hour limit they must not continue working in the current tachograph week); - You must obtain a confirmed '17 weeks' history from the driver and record this for your regulatory compliance | ✓ |
| 8 | How many times have they taken a reduced daily rest since the last weekly rest? (N.B. Three (3) is the limit. After that the maximum length of any shift must not exceed 13 hours until they have taken their next weekly rest); - Again, you must obtain a confirmed '6 days' history from the driver and record this for your regulatory compliance | ✓ |

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| 9 | How many extended daily driving hours shifts have been completed in the current tachograph week? (N.B. The limit is two in excess of 9 hours but not more than 10 hours. This rule limits the number of driving hours they can undertake if they have already extended twice in the current tachograph week); - You must obtain the ‘drivers history’ since the previous Sunday and record this for your regulatory compliance | ✓ |
| 10 | How many driving hours have been completed in the current tachograph week? (N.B. The limit in any one week is 56 hours); You must therefore obtain a confirmed current ‘tachograph week history’ from the driver and record this for your regulatory compliance | ✓ |
| 11 | How many driving hours have been completed in the current duty period where this is spread over two tachograph weeks? (N.B. The limit is 58 hours); You must therefore obtain a confirmed current ‘duty period history’ from the driver and record this for your regulatory compliance | ✓ |
| 12 | How many driving hours have been completed in any two-tachograph weeks? (N.B. The limit is 90 hours); You must therefore obtain a confirmed ‘two tachograph weeks history’ from the driver and record this for your regulatory compliance | ✓ |
| 13 | How many hours rest since the last duty completed? (N.B. Daily rest is normally 11, minimum 9 hours; Weekly rest normally 45, or a reduced can be a minimum of 24 hours plus any reduced rest debt owed from a previous week); You must therefore obtain a confirmed ‘History since the last duty ended’ from the driver and record this for your regulatory compliance | ✓ |
| 14 | Do they owe any rest time from a previously reduced weekly rest? (N.B. They may need to extend their weekly rest and may not be legal to take the next shift); You must therefore obtain a confirmed ‘28 days history’ from the driver and record this for your regulatory compliance | ✓ |
| 15 | When is the driver obligated to commence their next weekly rest? (N.B. 6 x 24 hours since the last weekly rest, less any time owed for previously reduced weekly rest if the period is close to the end of the tachograph week); - Detailed analysis of this situation is required by you to ensure that the driver is legally capable of driving and yet again, you need to record your check procedures and the confirmation for your regulatory compliance! | ✓ |

Can you realistically handle these tasks manually during your busy working day?

Question: What is your company’s legal responsibility regarding the above?

All Driver Managers/Planners must be able to answer all the above questions for each and every driver they are planning to allocate a shift to. Without this knowledge the manager/planner may inadvertently ask the driver to undertake a duty that he or she is not legally entitled to undertake.

If this is the case, then an ‘absolute offence’ will have been committed and you can be prosecuted!



Please note that with regards to these new EU Regulations...

When offences are identified the operator will automatically be charged with the same absolute offence as the driver, since under the revised regulations, the operator is held accountable under strict liability for the driver's actions. Additionally, Agencies are required to ensure that their activities conform to the regulations and in any case will be held accountable to the client under contract law.

The MACIS 'Shift Manager' – Solution

When you appreciate the breadth and depth of analysis required as prelude to every shift allocation decision, you may conclude as we have, that the task is formidable, even for the most expert and experienced planners in the industry. You may also conclude, that the analysis necessary to make informed and legally correct decisions each and every time, is beyond the wit (competence) of even the most skilled within the industry! However, **MACIS** have developed the mechanisms and means to overcome these issues using our 'Shift Manager' Solution, which has solved the problems with the application of sophisticated algorithms applied within tried and tested Software, that will run on standard Information Technology platforms, as found in most offices today. (Naturally we can also supply the necessary hardware if required)

Intuitive & Easy to use

The Software is intuitive and easy to operate (it even prompts you to make the right decisions) allowing staff with no previous experience within the logistics industry, to operate effectively and legally with just a few days of training. Senior staff will also be coached in the overall business benefits of the reporting and accounting practices also provided within the solution to run your business more efficiently.

MACIS Complete Support

We offer a complete turnkey solution, where we will come in and review your current technology for suitability, interview your staff and gather the considerable data required to build the operational model. We then set the system up in parallel to your existing daily operation. We will then only switch over to our new system when you have carried out whatever tests you may require (as well as monitoring our own detailed system checks) and are convinced of the accuracy and effectiveness of the operating solution!

The future – together

We are also looking to your future relationship (and hopefully trusted partnership) with **MACIS** and offer free upgrades for changes in regulations and new reporting dynamics, as well as new purchasable technology upgrades as we introduce items such as SMS Message Integration for mobile phones - for drivers direct reporting of the completion of shifts etc on a 24 x 7 automated basis. (With full audit trail)

This technology is available today, to anyone who acquires and deploys our “**Shift Manager**” Software Solution, developed and marketed by **MACIS Ltd** here in the United Kingdom.