

Ms Adina Vălean
Commissioner for Transport
European Commission
Brussels
Belgium



By email

BR1059678/VCO

Brussels 17 August 2023

Re: Call to prevent the blockage of tens of thousands of new trucks and coaches due to delays in the availability of the smart tachograph version 2

Dear Commissioner Vălean,

All newly registered commercial vehicles must be equipped with the smart tachograph version 2 (SMT2) as of 21/08/2023. Committed to ensuring the road transport sector's compliance with EU Mobility Package 1 provisions, we welcome the introduction of the SMT2, which brings significant improvements to both business and law enforcement.

However, there are material delays in the availability of the new SMT2 devices, making it impossible for a great number of new trucks and coaches to be equipped with it. Without your energetic intervention, this will result in new state-of-the-art vehicles being blocked from registration and driving on EU roads, or exposing transport operators to unwarranted fines.

We call for your support to urgently recommend Member States to exceptionally provide a grace period until the end of 2023, during which:

- ***new vehicles equipped with the SMT1 will be provisionally accepted for registration in parallel to vehicles equipped with the SMT2, provided that they are retrofitted with the SMT2 by the end of the grace period, and***
- ***enforcement authorities should not apply penalties to transport operators for driving vehicles registered after 21/08/2023 with SMT1 devices during the grace period.***

Facts

According to figures by the European Automobile Manufacturers' Association (ACEA), about 300,000 new heavy-duty vehicles (HDVs) are registered in the EU every year. One of the conditions for these vehicles to be in compliance with EU law is the installation of a tachograph, an essential device which records drivers' driving hours. Tachographs are therefore essential for the enforcement of the EU's driving and rest time rules, and, increasingly, for the control of cabotage operations and rules on the posting of drivers.

According to Regulation (EC) No 561/2006, as amended, HDVs registered between 2019 and 21/08/2023 must be equipped with the SMT1, and then switch to the SMT2.

The issue

As of today, there have been massive delays in the supply of the SMT2, with one of the important suppliers receiving the technical approval for its SMT2 only today (17/08/2023). It must be considered that even in cases where tachographs are already produced, the process of shipping the devices from the tachograph manufacturers' warehouses to the companies that assemble the tachographs in vehicles can take a considerable amount of time.

The delays affect both the vehicles that leave the manufacturing facilities ready-to-use (OEM production line) and the vehicles which are built in multiple stages. The first stage is completed by an OEM, while one or several other stages are completed by other companies, referred to as "bodybuilders".

The distinction between OEM production lines and multi-stage vehicles completed by bodybuilders is that in the latter case, the registration of the vehicle takes place at a much later stage compared to when the vehicle leaves the OEM's plant.

Based on the information that IRU has gathered from multiple stakeholders, the backlog accrued by bodybuilders already exceeds 20,000 vehicles. In total, over the next few months, we estimate that between 20,000 and 40,000 vehicles will be affected by substantial delays in the delivery of SMT2 devices. Multiple sources have informed IRU that the installation of SMT2 devices in new vehicles will not be regularised until the end of 2023.

As of 21/08/2023, national authorities will, normally, refuse to register a vehicle which is not equipped with a SMT2. This will create a blockage, possibly culminating in some bodybuilders being unable to accept new orders due to the lack of parking space. In the case of transport operators, they will be confronted with delays in receiving new vehicles, which may materially affect their planning, and, consequently, the EU's freight and passenger transport capacity.

Even if a Member State unilaterally decides to exceptionally accept the registration and circulation of new vehicles equipped with SMT1 devices, transport operators may be fined if they cross borders of Member States taking a different approach.

Solution

Temporarily accepting, for both national and cross border transports, the registration and driving of vehicles equipped with SMT1 devices will prevent blockages. The grace period should be in place until the end of 2023. However, to be fully effective, the practice should be generalised amongst EU Member States. Vehicles benefiting from the grace period should be retrofitted with SMT2 devices by 31/12/2023.

IRU's call

For the reasons above, we call for your energetic intervention to urge Member States to grant a period of grace until 31/12/2023, during which the SMT1 will still be tolerated in parallel with the SMT2 for vehicles registered after 21/08/2023 for both national and cross border use.

On a separate but related issue, as there is already a struggle to equip even new vehicles with the SMT2, we anticipate a consequent delay in the provision of SMT2 devices for the retrofitting of vehicles already on EU roads. The deadline for the retrofitting already on EU roads is concerningly near: between the end of 2024 and August 2025, depending on the vehicle. As the SMT2 will most likely not be widely available for retrofitting until the beginning of 2024, *we ask for the European Commission to set up a monitoring system for vehicle retrofitting to prevent a predictable crisis.* This might be an even much bigger issue than the current one. We expect that between 1.5 and 2 million vehicles will need retrofitting, and the window for that is getting smaller due to the delays.

We count on your support and remain at your disposal for additional information.

Yours sincerely,



Raluca Marian

IRU General Delegate to the EU