Commission Implementing Regulation (EU) 2016/799

of 18 March 2016

implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components

ANNEX I C

Requirements for construction, testing, installation, and inspection

Appendix 15

MIGRATION: MANAGING THE CO-EXISTENCE OF EQUIPMENT GENERATIONS

1.DEFINITIONS

For the purposes of this Appendix, the following definitions are used.

smart tachograph system

as defined by this Annex (chapter 1: definition bbb);

first generation tachograph system

as defined by this Regulation (article 2: definition 1);

second generation tachograph system

as defined by this Regulation (article 2: definition 7);

introduction date

as defined by this Annex (chapter 1: definition ccc);

Intelligent Dedicated Equipment (IDE)

equipment used to perform data downloading, as defined in Appendix 7 of this Annex.

2.GENERAL PROVISIONS

2.1. **Overview of the transition**

The preamble of this Annex provides an overview of the transition between the first and the second generation tachograph systems.

In addition to the provisions of this preamble:

first generation motion sensors will not be interoperable with second generation vehicle units.

second generation motion sensors will start to be installed in vehicles at the same time as second generation vehicle units.

data download and calibration equipment will need to evolve, in order to support use of both generation of recording equipment and tachograph cards.

2.2. **Interoperability between VU and cards**

It is understood that first generation tachograph cards are interoperable with first generation vehicle units in compliance with Annex IB to Regulation (EEC) No 3821/85, while second generation tachograph cards are interoperable with second generation vehicle units in compliance with Annex IC to this Regulation. In addition, the requirements below shall apply.

MIG_001Except as provided for in requirement MIG_004 and MIG_005, first generation tachograph cards may continue to be used in second generation vehicle units until their end of validity date. Their holders may however ask for their replacement by second generation tachograph cards as soon as they are available.

MIG_002Second generation vehicle units shall be able to use any valid first generation driver, control and company card inserted.

MIG_003This capability may be suppressed once and forever in such vehicle units by workshops, so that first generation tachograph cards cannot be accepted anymore. This may only be done after the European Commission has launched a procedure aiming to request workshops to do so, for example during each periodic inspection of tachograph.

MIG_004Second generation vehicle units shall only be able to use second generation workshop cards.

MIG_005For determining the mode of operation, second generation vehicle units shall only consider the types of the valid cards inserted, regardless of their generations.

MIG_006Any valid second generation tachograph card shall be able to be used in first generation vehicle units exactly the same manner as a first generation tachograph card of the same type.

2.3. **Interoperability between VU and MS**

It is understood that first generation motion sensors are interoperable with first generation vehicle units, while second generation motion sensors are interoperable with second generation vehicle units. In addition, the requirements below shall apply.

MIG_007Second generation vehicle units will not be able to be paired and used with first generation motion sensors.

MIG_008Second generation motion sensors may be paired and used with second generation vehicle units only, or with both generations of vehicle units.

2.4. **Interoperability between vehicle units, tachograph cards and equipment for data download**

MIG_009Equipment for data download may be used with one generation only of vehicle units and tachograph cards, or with both.

2.4.1 *Direct card download by IDE*

MIG_010Data shall be downloaded by IDE from tachograph cards of one generation inserted in their card readers, using the security mechanisms and the data download protocol of this generation, and downloaded data shall have the format defined for this generation.

MIG_011To allow drivers' control by non EU control authorities, it shall also be possible to download second generation driver (and workshop) cards exactly the same manner as 1st generation drivers (and workshop) cards. Such download shall include:

non signed EFs IC and ICC (optional),

non signed EFs (1st generation) Card_Certificate Image not found or type unknown and CA_Certificate Image not found or type unknown,

the other application data EFs (within DF Tachograph) requested by the first generation card download protocol. This information shall be secured with a digital signature, according to the first generation security mechanisms.

Such download shall not include application data EFs only present in second generation driver (and workshop) cards (application data EFs within DF Tachograph_G2).

2.4.2 *Card download through a vehicle unit*

MIG_012Data shall be downloaded from a second generation card inserted in a first generation vehicle unit using the first generation data download protocol. The card shall answer to the vehicle unit commands exactly the same manner as a first generation card and downloaded data shall have the same format as data downloaded from a first generation card.

MIG_013Data shall be downloaded from a first generation card inserted in a second generation vehicle unit using the data download protocol defined in Appendix 7 of this Annex. The vehicle unit shall send commands to the card exactly the same manner as a first generation vehicle unit, and downloaded data shall respect the format defined for first generation cards.

2.4.3 *Vehicle unit download*

MIG_014 Outside the frame of drivers' control by non EU control authorities, data shall be downloaded from second generation vehicle units using the second generation security mechanisms, and the data download protocol specified in Appendix 7 of this Annex.

MIG_015 To allow drivers' control by non EU control authorities, it may optionally also be possible to download data from second generation vehicle units using the first generation security mechanisms. Downloaded data shall then have the same format as data downloaded from a first generation vehicle unit. This capability may be selected through commands in the menu.

2.5. **Interoperability between VU and calibration equipment**

MIG_016Calibration equipment shall be able to perform calibration of each generation of tachograph, using the calibration protocol of this generation. Calibration equipment may be used with one generation only of tachograph, or with both.

3.MAIN STEPS DURING THE PERIOD BEFORE THE INTRODUCTION DATE

MIG_017Test keys and certificates shall be available to manufacturers at the latest **30 months** before the introduction date.

MIG_018Interoperability tests shall be ready to start if requested by manufacturers at the latest **15 months** before the introduction date.

MIG_019Official keys and certificates shall be available to manufacturers at the latest **12 months** before the introduction date.

MIG_020Member states shall be able to issue second generation workshop cards at the latest **3 months** before the introduction date.

MIG_021Member States shall be able to issue all types of second generation tachograph cards at the latest **1 month before the introduction date**.

4.PROVISIONS FOR THE PERIOD AFTER THE INTRODUCTION DATE

MIG_022After the introduction date, Member States shall only issue second generation tachograph cards.

MIG_023Vehicle units/motion sensors manufacturers shall be allowed to produce first generation vehicle units/motion sensors as long as they are used in the field, so that malfunctioning components can be replaced.

MIG_024Vehicle units/motion sensors manufacturers shall be allowed to request and obtain type approval maintenance of first generation vehicle units/motion sensors types already type approved.