

SUMMARY

ECJ 24 March 2021, joined cases C-870/19 and C-871/19 (Prefettura Ufficio territoriale del governo di Firenze), Working Time, Miscellaneous

Prefettura Ufficio territoriale del governo di Firenze – v – MI (C-870/19) and TB (C-871/19), Italian Case

Summary

Lorry, motor coach and bus drivers who, during an inspection, do not produce the record sheets for the tachograph relating to the current day and the previous 28 days are subject to a single penalty, irrespective of the number of missing record sheets. The ECJ's summary of the judgment is available [here](#).

Questions

Must Article 15(7) of Regulation No 3821/85 and Article 19 of Regulation No 561/2006 be interpreted as meaning that, should the driver of a road transport vehicle subject to an inspection fail to produce the record sheets of the recording equipment relating to several days of activity during the period covering the day of the inspection and the previous 28 days, the competent authorities of the Member State in which the inspection was carried out must impose on that driver a single penalty, for a single infringement, or rather several separate penalties for several separate infringements, the number of which corresponds to that of the missing record sheets?

Ruling

Article 15(7) of Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport, as amended by Regulation (EC) No 561/2006 of the European

Parliament and of the Council of 15 March 2006 and Article 19 of Regulation No 561/2006 must be interpreted as meaning that, should the driver of a road transport vehicle subject to an inspection fail to produce the record sheets of the recording equipment relating to several days of activity during the period covering the day of the inspection and the previous 28 days, the competent authorities of the Member State where the inspection was carried out must make a finding of a single infringement by that driver and impose on him or her only a single penalty for that infringement.

Creator: European Court of Justice (ECJ)

Verdict at: 2021-03-24

Case number: C-870/19 and C-871/19