



Road-Side Checks



Introduction

Road-Side Checks by the BAG

As an independent senior federal authority within the area of operations of the Federal Ministry of Transport and Digital Infrastructure, the Federal Office for Goods Transport (Bundesamt für Güterverkehr - BAG) performs a large number of tasks concerning road freight transport. Its head offices – the operational centre – is located in Cologne and it is supported by eleven regional branches throughout Germany.

In performing its duties, the BAG makes a substantial contribution to road safety, the fair collection of road taxes and fair competition on Germany's roads. In particular, the BAG inspectors repeatedly discover breaches of driving crew safety regulations (driving and rest periods). This information sheet provides an overview of the relevant legal provisions.

The BAG inspectors are authorised to stop and carry out inspections on German and foreign buses and trucks carrying goods. This is done in mobile inspections by flagging down vehicles or using LED-powered signs indicating that they should drive to the nearest parking space or, in the case of roadside inspections, to rest areas or parking spaces on autobahns or federal or state highways.

The inspections are often carried out together with other authorities such as the police, customs or local business inspectorates. Cross-border cooperation is also of particular significance. The BAG therefore cooperates at international level with other authorities, in particular with the inspection services of neighbouring countries.

Among inspection services of the BAG you can find more information about the work on the internet at www.bag.bund.de.

Duties and Authorities

In roadside inspections the Federal Office for Goods Transport carries out inspections in accordance with Section 11, Subsection 2, of the German Road Haulage Act (GüKG). In particular, these inspections include ensuring

- that the documents and certificates (permits, accompanying documents, evidence of goods damage liability insurance) prescribed by the German Road Haulage Act must be present on site;
- the correct use of tachographs and compliance with driving and rest periods according to the rules;
- compliance with certain provisions concerning German residence, work and social insurance legislation;
- compliance with the permitted dimension, axle-loads, overall weights, load-safety and the technical safety standards of trucks, trailers and vehicle combinations;
- compliance with regulations on transporting hazardous goods;
- compliance with certain provisions of German Road Tax and Value Added Tax legislation;



- compliance with the provisions of the International Convention on Safe Containers;
- compliance with certain provisions of German foodstuffs and wine legislation;
- compliance with waste disposal regulations;
- compliance with permitted noise-levels and exhaust pollutants;
- the proper technical condition of trucks used to transport goods in the form of technical roadside inspections and
- compliance with the German Sunday and Public Holiday Driving Ban and the German Holiday Travel Regulations.

If breaches are found during inspections, the inspection staff carry out various measures depending on responsibility and the type and degree of seriousness of the breach:

They issue warnings or prepare inspection reports, which lead to administrative offence proceedings being initiated. Safety measures may be ordered if the driver affected resides outside Germany and is employed by a company based outside Germany. If payment of a safety deposit is not made (in full), the vehicle will be prohibited from continuing its journey. At the discretion of the inspection staff, a vehicle may also be prohibited from continuing its journey if the vehicle or the driver constitutes a threat or hazard to road safety or if evidence of permission to drive road goods vehicles cannot be demonstrated.

Inspections are carried out regularly in cooperation with other authorities such as the police, customs or business inspectorates. Cross-border cooperation with the supervisory authorities of other countries is also of particular importance.

Collection of the road toll in accordance with the German Federal Highway Tolls Act is monitored by the BAG's Road Toll Service.

Automatic Exit Technology

New equipment for BAG road-checks with electronic display-boards
(for directing trucks off the road for roadside checks)

In location based road-side checks, BAG inspectors no longer direct trucks to the next control station towards properly-equipped inspection sites using illuminated hand-held traffic wands. Various instructions are now displayed on electronic display boards.

Directing Trucks to the next control station



Request:

Every truck with a maximum authorised mass of over 3.5 t is required to drive to the next inspection site where the trucks are selected for inspection.

Directing Buses to the next Control station



Request:

Every bus is required to drive to the next inspection site where the buses are selected for inspection.

Selection by Registration Number



Request:

The vehicle with the registration number displayed is required to drive to the next inspection site.

Consequences of Failure to Ignore Signs and Directions

Where instructions are not complied with, the vehicle is followed and a roadside inspection is carried out. This administrative offence is penalised with an administrative fine of EUR 300.

Driving Crew Legislation

The object of these regulations is to improve social conditions of driving crews, road safety in general and to standardise competition. Important regulations on driving crew legislation can be found in:

- in the German Driving Crew Law (FPersG);
- in the German Driving Crew Regulations (FPersV9);
- in EU Regulation (EC) No. 561/2006 which applies to the EU/EEA area and Switzerland; and
- the „European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport“ (AETR).

The provisions on driving crews in EU Regulation (EC) No. 561/2006, Regulation (EU) No. 165/2014, the German Driving Crew Act and the German Driving Crew Regulations essentially apply to all transport by motor vehicles used to carry goods, which are driven on public roads and whose maximum permissible vehicle weight, including trailers and semi-trailers, exceed 3.5 t.

In addition, the regulations for company owners and drivers of vehicles used to carry passengers and which are suitable for carrying, and are intended to carry by virtue of their construction, more than nine people including the driver. It is irrelevant as to whether the vehicle is carrying goods or passengers or not.

In Germany, drivers of motor vehicles used to carry goods and whose maximum permissible vehicle weight, including a trailer or semi-trailer, is more than 2.8 t but no more than 3.5 t, must record driving times, all other working hours, driving breaks and rest-periods. If a tachograph – whether analogue or digital – has been installed, recordings must be made by using this device (Section 1, Subsection 7, of the German Driving Crew Regulations).

Due to amendments to the AETR Agreement to EU Regulation (EC) No. 561/2006, mainly uniform regulations on cross-border transport apply. The scope of EU Regulation (EC) No. 561/2006 is based on Article 2, Subsections 1 and 2, of Regulation (EC) No. 561/2006; the area of application of AETR is based on Article 2, Section 3, of EU Regulation (EC) No. 561/2006 in conjunction with Articles 2 and 3, AETR. According to these various regulations, the AETR applies to entire journeys of which only some parts are made outside the EU, the EEA or Switzerland provided the vehicle is registered in the EU, the EEA or another AETR member state.

If the vehicle is registered outside these states, the provisions of the AETR only apply to those parts of the journey made within the EU, the EEA or an AETR state.

Requirement of using a tachograf

Those vehicles subject to driving crew regulations and with a maximum permissible vehicle weight of over 3.5 t must be fitted with digital tachographs. As an alternative, vehicles first registered in the EU before 1 May 2006 or in the area of the AETR before 16 June 2010 may be fitted with analogue tachographs (for use with record sheets).

Transport companies and drivers must ensure that the digital tachograph and the driver card are functional and are used properly. The transport companies and the drivers using analogue tachographs must ensure that the tachographs work properly and that the record sheets are used properly.

In accordance with Section 1, Subsection 6, of the Driving Crew Regulations, drivers of vehicles used to carry goods and whose maximum dimensions, including trailers or semi-trailers weighing over 2.8 tonnes but no more than 3.5 tonnes, must keep records on a daily check-list which corresponds to the model further to Appendix 1 of the Driving Crew Regulations. The records of each daily trip and the previous 28 calendar days are to be kept by the driver. If the vehicle is equipped with a tachograph, this is to be used.



Obligations to Carry Activity Sheets EU Regulations in Accordance with Regulation (EU) No. 165/2014

In accordance with Article 36 of EU Regulation (EU) No. 165/2014, the following activity sheets are to be carried in the vehicle and are to be handed over for inspection at a roadside check:

- when driving trucks equipped with analogue tachographs (that use record sheets):
 - a) the record sheet for the current day and those record sheets used over the previous 28 days and
 - b) the driver's card if one is held, and
 - c) any manual records and printouts made during the current day and the previous 28 days as required under this Regulation and EU Regulation (EC) No. 561/2006;

- Where the driver drives a vehicle fitted with a digital tachograph (these are tachographs that use tachograph cards):
 - a) his driver's card **and**
 - b) any manual records and printouts made during the current day and the previous 28 days as required under this Regulation records prepared on that day and the previous 28 days and printouts prescribed in accordance with this Regulation (above) and EU and Regulation (EC) No. 561/2006; and the record sheets corresponding to the same period as that referred to in point b) during which he drove a vehicle fitted with an analogue tachograph.

In cases of damage, malfunction, loss or theft of the driver's card, the driver may be permitted to continue his journey without the driver card for a maximum period of 15 calendar days or for a longer period if this is necessary for the vehicle to return to the premises where it is based, provided that the driver can prove the impossibility of producing or using the card during that period. (see Article 29, Section 5, Regulation (EU) No. 165/2014 and Article 13 Section 3, AETR).

It is crucial that manual records be prepared during times such as driving times, other working hours, other on-call hours and work-breaks if

- there was a fault in the trip tachograf **and**
- the driver's card could not be used due to damage, a malfunction or loss.

Driving and Rest Periods

EU Regulations in Accordance with EU Regulation (EC) No. 561/2006 and the AETR.

Interruption of driving times	After driving for no more than 4-1/2 hours: an interruption of at least 45 minutes. May be broken up into 2 periods of at least 1 x 15 minutes followed by one interruption of at least 1 x 30 minutes.
Daily Driving Times	Max. 9 hours. May be increased to a maximum of 10 hours / day 2 x weekly.
Daily Rest Periods	Minimum 11 hours.

Daily Rest Periods	<p>May be reduced to 9 hours but no more than 3 x times between two weekly rest periods (no regulations on reductions).</p> <p>May be split into two parts. The first part must be of at least 3 hours' duration and the second part must be of at least 9 hours' duration.</p> <p>Each break is to be taken within a 24-hour period after a daily or weekly rest period.</p> <p>In cases of multi-manning, at least 9 hours within a 30-hour period.</p>
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Interrupting Daily Rest Periods	When loading a ferry or a goods train, the daily rest period may be interrupted no more than twice. Overall, the breaks may not exceed 1 hour.
Weekly Rest Periods	Must begin no later than after 6 x 24-hour periods after the end of the last weekly rest period.
Weekly Rest Periods	At least 45 hours. May be shortened to 24 hours but must then be compensated for within 3 weeks. The compensatory period taken for a reduced weekly rest period is to be added to another rest period of at least 9 hours' duration. In the EU additionally: either 2 x 45-hour breaks or 1 x 45-hour break and 1 x 24-hour break must also be taken within two consecutive weeks. Two x 24-hour breaks may not be taken in two consecutive weeks. This restriction also applies to the AETR but not for multi-manning operations.
Weekly Driving-Times	Maximum 56 hours.
Driving-Times in Two Consecutive Weeks	Maximum 90 hours.

In certain cases, national regulations apply instead of EU and AETR regulations.

Note on Spending Weekly Rest Periods

On 25 May 2017, a legislative amendment came into force. In accordance with Article 8, Section 6, of EU Regulation (EC) No. 561/2006, the regular weekly rest period must be spent at/in a location with suitable sleeping facilities. Sleeping in the truck is prohibited.

The company must ensure that the driving personnel spends its regular weekly rest period not in the truck but in/at a location with suitable sleeping facilities. If the company does not ensure that this is done, it will be deemed to be in breach of Section 8a, Subsection 1, of the German Driving Crew Act (FPersG).

In accordance with Section 8a, Subsection 2, of the German Driving Crew Act (FPersG), drivers commit an administrative offence if they spend their regular weekly rest period in the truck or at/in a location with no suitable sleeping facilities.

Road Freight Transport Regulations

If the transports are subject to the provisions of the German Road Transport Act and the regulations pursuant thereto, the following documents are to be carried on the German leg of the journey:

	Type of Transport	Evidence of Authorisation	Trip Log-Book	Report Sheets	Accompanying Documents or Other Authorisation ¹⁾
Germany-Based Companies	Commercial Road Freight Transport Domestic Transport (Germany) ²⁾	Permits, Copy of Permit or Certified Copy of an EU Licence	No	No	Yes
	Cross-border traffic from - EU/EEA states and Switzerland (CH) - ECMT member states	Certified copy of an EU licence ECMT permit	No Yes ³⁾	No Yes	Yes Yes
	- third-party states (except CH)	Permit or third-party state permit	No		Yes

Germany- Based Companies	Multi-mode transport	No, but evidence of occupational qualifications and market access approval is required	No	No	Yes, and evidence of multi-mode transport
	Transport for Company Purposes Only	No	No	No	No

- 1) The accompanying document or other evidence must contain details of the goods being transported, the loading and unloading locations and the customer.
- 2) Valid confirmation that a goods damage liability insurance policy has been concluded is to be carried during transports within Germany.
- 3) Does not apply to removal transports when carrying an ECMT removal permit.

	Type of Transport	Evidence of Authorisation	Trip Log-Book	Report Sheets	Accompanying Documents or Other Authorisation1)
Foreign-Based Companies	Commercial Road Freight Transport				
	Domestic Transport 2) by - companies from EU/ EEA states - companies from third-party states	Certified copy of an EU licence Not permitted	No -	No -	Yes4 -

Foreign-Based Companies	Cross-border traffic from				
	- EU/EEA member states	Certified copy of an EU licence	No	No	Yes
	- ECMT member state companies	ECMT permit	Yes ³⁾		Yes
	- third-party states (except CH [Switzerland])	Third-party state approval Certified copy of the Swiss licence	Yes, Only if prescribed in the permit		Yes
	- CH companies	certified copy of the swiss licence	No	No	Yes
	Multi-mode transport	Special regulations with relief in certain cases apply			
	Transport for Company Purposes Only	No	No	No	No

1) The accompanying document or other evidence must contain details of the goods being carried, the loading and unloading locations and the customer.

2) Valid confirmation that a goods damage liability insurance policy has been concluded is to be carried during transports within Germany.

3) Does not apply to removal transports when carrying an ECMT removal permit.

4) The papers prescribed in accordance with Section 8, Subsection 3, of EU Regulation EC No. 1072/2009 are to be carried on board.

Cabotage Transports by vehicles with a Maximum Authorised Mass of up to 3.5 Tonnes

The provisions of Articles 8 and 9 of EU Regulation (EC) No. 1072/2009 also apply to trucks with a maximum authorised mass of up to 3.5 t. Article 8, Section 5, of the Regulation clearly states that companies falling under the exemption in Article 1, Section 5 c) (Trucks and Truck Combinations with a Maximum Authorised Mass of up to 3.5 t) may carry out cabotage transports under the conditions in Articles 8 and 9 in particular. This means that the same conditions also apply to these trucks as for trucks with a maximum authorised mass of over 3.5 t.

Dimensions and Weights

(This overview does not include special provisions)

Dimensions	
Width	2,55 m
Refrigerated trucks built certain wall-thicknesses	2,60 m
Height	4,00 m
Length	
Individual trucks (except semi-trailers)	12,00 m
Articulated semi-trailers	15,50 m
Articulated semi-trailers subject to compliance with certain maximum permitted partial lengths of semi-trailers	16,50 m
Trailer trains	18,00 m
Trailer trains consisting of a truck and a trailer subject to compliance with certain maximum permitted partial lengths	18,75 m

Axle-Loads	
Single Axle-Loads:	
- Not driven	10,0 t
- Driven	11,5 t
Double Axle-Loads by Wheel-Base:	
- Trucks	11.5 – 19.0 t
- Trailers	11.0 – 20.0 t
Triple Axle-Loads by Wheel-Base	21,0 - 24,0 t
Total Weights	
Regulations on individual axle-loads and individual trucks are to be complied with.	
Trucks and trailers with no more than two axles	18,0 t
Trucks with more than two axles:	
- trucks (depending on model)	25,0 - 26,0 t
- trailers	24,0 t
Trucks with more than three axles:	32,0 t
Vehicle combinations with less than four axles:	28. t

<p>Vehicle combinations with four axles:</p> <ul style="list-style-type: none"> - truck and trailer (2-axle truck + 2-axle trailers) - trailer trains - vehicle combinations (trucks and road-trains) with more than four axles 	<p>36,0 t</p> <p>36,0 - 38,0 t</p> <p>40,0 t</p>
<p>Vehicle combinations in multi-mode transport under certain conditions (Section 34, Subsection 6, No. 6, German Road Traffic Regulations)</p>	<p>44,0 t</p>


Waste transportation regulations



In determining which regulations are to be applied when transporting waste on the road, the distinction between domestic and cross-border transport of waste is important. Transporting waste across a national border is subject to EU Regulation (EC) No. 1013/2006 in conjunction with the German Waste Transport Act (AbfVerbrG). Transporting waste within Germany is covered by the German Recycling Act (KrWG) and the German Waste Disposal and Recovery Records Regulations (NachwV).

In both cases, the German Reporting and Permit Regulations (AbfAEV) are to be complied with.

To ensure the proper disposal of hazardous and non-hazardous waste while being transported within Germany, the law has standardised such things as the requirement to carry transport documents. If **non-hazardous** waste is being transported, the party transporting the waste is required to carry the following information and submit it on request to authorised persons or parties for monitoring and inspection purposes: the quantity of waste being transported, a description of the waste, details on the transporting party, the date the waste was collected for transport, details of the party generating the waste (or the owner of the waste) and details of the disposal facility. A copy of the notification of business operations confirmed by the responsible waste disposal authorities in accordance with Section 53, Subsection 1, of the German Recycling Act (KrWG) is also to be carried.



The transport of **hazardous** waste must be applied for electronically using a qualified (electronic) signature via the ZKS Abfall (Central Coordination Office of the German States) with the waste management authority responsible for the company headquarters of the party generating the waste. Following inspection, this authority then makes a decision in the form of a waste disposal certificate / collective waste disposal certificate as to whether the intended disposal will be permitted. This eligibility inspection is carried out entirely electronically and does not need to be documented during the journey. Evidence of the completed disposal of hazardous waste is provided using consignment documents in accordance with the guidelines in Appendix 1 of the German Waste Disposal and Recovery Records Regulations.

The consignment documents are also to be generated electronically and must bear a qualified electronic signature. In contrast to disposal certificate, however, the party transporting the waste is required to ensure that the information in the accompanying documentation is carried in the truck during the journey. Care must also be taken to ensure that in the case of removal of the same type of waste by a collector, the handing over of the waste by the party generating the waste to the collecting party is documented by a receipt or handover certificate together with the abovementioned accompanying documentation, (see also Appendix 1 of the German Waste Disposal and Recovery Records Regulations). The receipts or handover certificates are to be carried in the vehicle during the journey. The obligation to carry the information in the accompanying documentation or handover documentation may be fulfilled electronically as an alternative to paper form. However, this presupposes that the necessary equipment is on board the truck. This ensures that the inspection authorities have instant and secure access to the electronically-stored information.

In order to transport hazardous waste, the carrier and the collector also require a permit in accordance with Section 54 of the German Recycling Act. This is also to be carried in copy form during the journey.

In the case of cross-border waste shipments, the documentation to be carried should show the type of waste being carried, (hazardous or non-hazardous), the transport route (within the EU or to and from third-party states) and the method of disposal (recycling or disposal). If transport of waste is not prohibited, neither the officially-approved notification form nor an accompanying document from the parties involved in transporting the waste in accordance with the form in Appendices IA and IB of EU Regulation (EC) No. 1013/2006 or the filled-in shipping information in accordance with Appendix VII of EU Regulation (EC) No. 1013/2006 needs to be carried.

In the case of non-hazardous waste, as for domestic transport, a copy of the confirmed notification of business operations from the responsible waste management authority is also to be carried during shipment in accordance with Section 53, Sub-section 1, of the German Recycling Act. In the case of hazardous waste, a copy of the permit further to Section 54 of the German Recycling Act must also be carried during shipment.

In the case of both domestic and cross-border transport of waste, vehicles carrying waste on public roads are to be fitted with white square reflecting warning signs before the journey is commenced. These warning signs must be 40 cm wide and at least 30 cm high. They must carry the inscription „A“ (height of the letter: 20 cm; thickness of the writing: 2 cm) in black. Warning signs are to be fitted to the exterior of the vehicle, both in front and at the rear, during the journey so that they are clearly visible. In the case of road-trains, the rear sign must be fitted to the rear of the (rear) trailer. This does not apply to vehicles with which waste is being transported by other commercial enterprises, i.e. as part of other forms of commercial activities not engaged in transporting waste commercially.

Hazardous Materials Regulations

With regard to the transport of dangerous goods by road, the regulations stipulated in the European Agreement on the International Carriage of Dangerous Goods by Road (ADR) and the Ordinance on the Transport of Dangerous Goods by Road, Rail and Inland Waterway (GGVSEB) must be observed.

According to these regulations, various documents and objects must be carried. These are as follows:

- Transport documents
- Written instructions (the measures specified therein must be carried out if necessary)
- ADR training certificate
- If necessary, registration certificate for the vehicle (especially for tanker vehicles)
- If applicable, large container or vehicle packing certificate
- Route determination for certain dangerous goods
- Fire-fighting equipment depending upon the maximum permissible total mass of the vehicle
- Other equipment (wheel chocks, 2 self-standing warning signs, eye rinsing liquid, warning vest, portable lighting device, protective gloves, eye protection, and, if applicable (depending on dangerous goods class), shovel, channel cover and collection container).

In addition, the driver must comply with certain regulations concerning the operation of tanks:

- Proper closing / operation of the shut-off devices
- Avoidance or removal of residual product adhesion
- Tightness test after self-filling
- Ensuring that connection lines / filling and emptying pipes are empty
- Earthing of the tank before and during self-filling / emptying of certain substances

The intended markings, placards and orange-coloured plates shall be affixed to the transport unit and, if necessary, covered again.

Vehicles loaded with dangerous goods must be monitored during parking and may only be stopped or parked with the parking brake applied.

It is prohibited to take passengers with you, to smoke (this also applies to electronic cigarettes), to light fires and ignite a naked flame inside the vehicle and near the vehicle during loading operations, and also to operate the engine during loading or unloading.

No package may be conveyed whose packaging is visibly incomplete or damaged.

The alignment of packages with alignment arrows must be carried out in accordance with these markings.

Prohibitions regarding mixed loading and restrictions regarding explosive substances and articles containing explosive substances must also be observed.

Certain precautions must be observed when transporting foodstuffs, luxury foods and animal feeds.

All duties incumbent on the driver are standardised in §§ 28 and 29 GGVSEB. The catalogue of fines and warnings for violations of the dangerous goods transport law is listed in the Annex to the Guidelines for the Implementation of the Dangerous Goods Ordinance for Road, Rail and Inland Navigation (GGVSEB) and other ordinances on dangerous goods law (RSEB).

Reference should be made to the possibility of making use of various exemption schemes. In addition to the possibility, subject to certain conditions, of exempting private individuals and craft enterprises, the exemption in connection with quantities carried per transport unit plays a particularly important role in practice. Depending on the transport category 0, 1, 2, 3 or 4 assigned to each dangerous substance or object, this exemption cannot be claimed for a maximum permissible total quantity of dangerous goods either up to 20, 333, 1000 kilograms/litre, in unlimited quantities or for particularly dangerous substances. If dangerous goods are loaded with different transport categories, the maximum permissible total quantity is calculated on the basis of the so-called „1000 point rule“. In contrast to most other exemption regulations, however, this regulation does not exempt the application of all ADR regulations, but only of certain ADR regulations. For example, the provisions concerning the affixing of orange-coloured plates, the carrying of equipment (exception: a 2 kg fire extinguisher must be carried) and instructions in writing need not to be observed. The driver does not need an ADR training certificate in this case either.

Professional Driver Qualification Law

The Professional Drivers Qualification Act (BKrFQG), which came into force on 01.10.2006, obliges drivers who carry out commercial road haulage, passenger transport or works transport to be in possession of a special qualification (basic qualification, fast-track basic qualification or further training).

In addition to German drivers, drivers from other EU/EEA countries and Switzerland are also obliged to obtain this qualification. Drivers from third countries are subject to the qualification obligation if they are employed or deployed in a company based in an EU/EEA country or Switzerland.

This regulation applies to drivers who use vehicles for their transports for which a driving licence in classes C1, C1E, C, CE, D1, D1E, D1 or DE is required, irrespective of whether the driver is self-employed or employed.

The qualification obligation therefore applies to drivers of vehicles with a permissible total weight of more than 3.5 tonnes in road haulage, as well as those of vehicles with more than eight passenger seats in passenger transport.

The following applies to German drivers with regard to the obligation of having basic qualifications and further training:

The statutory regulations differentiate between those who are required to complete a basic qualification (with an examination set by the Chamber of Industry and Commerce), or for those for whom further training has been determined as adequate as of the effective date.

As of the following dates, a basic qualification for „newcomers“ is required by law:

- 10.09.2008 (driving licences of categories D1, D1E, D, DE) and
- 10.09.2009 (driving licences of categories C1, C1E, C, CE)

Those drivers who obtained their driving licence before the above deadlines are only subject to the obligation to undergo further training (so-called „5 Modules“).

Within five years of acquiring the basic qualification/accelerated basic qualification, the driver's knowledge must be refreshed by participating in further training.

Further training must be repeated again after a period of five years.

There are exceptions to the qualification/further training obligation, in particular for police, fire brigade and rescue service vehicles, and also for craftsmen who transport their work materials (e.g. tools, equipment, machines) (see § 1 Para. 2 BKrFQG (German Driver's Qualification Act)).

Non-loaded journeys do not fall under the regulations of the BKrFQG, so that there is no qualification/further training obligation for these.

For holders of a driving licence issued in Germany, proof of the existing qualification or further training is provided by the official registration of the key number „95“ in the holder's driving licence by the Road Traffic Authority/Driving Licence Office (§ 5 Para. 2 Professional Drivers Qualification Act).

In some EU Member States, proof of qualification is provided by the competent road traffic authority by issuing a separate driver qualification card in a cheque card format.


For drivers in freight transport from third countries who are employed in an EU/EEA company or Switzerland, proof of qualification is provided by issuing a driver attestation (Article 5(1) of Regulation (EC) No 1072/2009).

The competent road traffic authority is that which is also responsible at the location of the company headquarters.

Drivers in passenger transport from third countries with employment in an EU/EEA-based company or from Switzerland can provide proof of qualification by means of a national certificate issued in Germany, another EU/EEA country or Switzerland (§ 5 Para. 3 No. 2 Professional Driver Qualification Act). Here too, the competent road traffic authority is responsible for issuing the certificate.

If during a check the key number „95“ is found not to have been entered in the driving licence, and if a driver qualification certificate issued in another EU/EEA country (for freight transport), or a national certificate (for passenger transport) is not available, this constitutes an administrative offence.

An entrepreneur who orders or permits journeys even though the driver does not have the required qualification/further training is also acting in violation of the regulations.



Administrative offences can be punished with a warning or fine according to § 9 BKrFQG (Professional Drivers Qualification Act). An overview of the rates of fines and warnings can be found in the catalogue of fines and warnings for offences against the Professional Drivers' Qualification Act. This is available on the website of the Federal Office for Goods Transport (www.bag.bund.de -> Legal provisions -> Qualification and further training).

Further information on initial qualification and further training for German drivers can be obtained from the local Chamber of Industry and Commerce. Questions regarding the registration of the qualification/further training criteria in the driving licence can be answered by the responsible road traffic office (driving licence office).

Foreign drivers can obtain information from their respective national road traffic authority.



Notes


List of Addresses of BAG Regional Offices

Außenstelle	Anschrift	Telefon Fax E-Mail
Bremen	Bürgermeister-Smidt-Str. 55-61 28195 Bremen	0421/ 1 60 82 - 0 0421/ 1 60 82 - 55 bag-bremen@bag.bund.de
Dresden	Bernhardstraße 62 01187 Dresden	0351/ 8 79 96 - 0 0351/ 8 79 96 - 90 bag-dresden@bag.bund.de
Erfurt	Bahnhofstraße 37 99084 Erfurt	0361/ 6 64 89 - 0 0361/ 6 64 89 - 66 bag-erfurt@bag.bund.de
Hannover	Goseriede 6 30159 Hannover	0511/ 12 60 74 - 0 0511/ 12 60 74 - 66 bag-hannover@bag.bund.de
Kiel	Willestraße 5-7 24103 Kiel	0431/ 9 82 77 - 0 0431/ 9 82 77 - 88 bag-kiel@bag.bund.de
Mainz	Brucknerstraße 2 55127 Mainz	06131/ 1 46 72 - 0 06131/ 1 46 72 - 75 bag-mainz@bag.bund.de
München	Winzererstraße 52 80797 München	089/ 1 26 03 - 0 089/ 1 26 03 - 321 bag-muenchen@bag.bund.de
Münster	Grevener Straße 129 48159 Münster	0251/ 5 34 05 - 0 0251/ 5 34 05 - 99 bag-muenster@bag.bund.de
Saarbrücken	Mainzer Straße 32-34 66111 Saarbrücken	0681/ 9 67 02 - 0 0681/ 9 67 02 - 90 bag-saarbruecken@bag.bund.de
Schwerin	Bleicherufer 11 19053 Schwerin	0385/ 5 91 41 - 0 0385/ 5 91 41 - 290 bag-schwerin@bag.bund.de
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The BAG wishes you a pleasant journey.

Business responsibility of the branches of BAG





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