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Conditions of Approval as a Tachograph Workshop by NSAI

1. Installations, Calibrations, and Inspections

- 1.1. Tachograph calibrations, inspections and installations must only be carried out by workshops who:
 - a) Are an NSAI approved tachograph workshop
 - b) Are an appointed agent of a tachograph manufacturer
- 1.2. Tachograph calibrations, inspections and installations must only be carried out by fitters who:
 - a) Have completed the relevant training
 - b) Have up to date training certs issued by an accepted training provider
 - c) Are a person of good repute
 - d) Are using a Tachograph Workshop Card registered to them
- 1.3. Tachograph equipment must be installed and calibrated according to the procedure as set out in the training courses attended and the manuals provided.
- 1.4. No calibrations shall be done if the equipment is outside of calibration.

2. Security

- 2.1. All tachograph calibration equipment, including workshop cards, sealing pliers, seals and other equipment must be maintained securely, (e.g. kept in a locked safe), at all times other than when they are in use by approved fitters.
- 2.2. All calibration records must also be kept in a secure location on the premises.
 - a) Access to equipment, vehicles and records must be available at all reasonable times for the purposes of audits.
- 2.3. Should a workshop card be lost or misplaced, NSAI the RSA must be informed immediately with details, and the loss or theft must also be reported to member of the Garda Síochána at a Garda Síochána station.



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3. Conflicts of Interest

Workshops should be aware of potential conflicts of interest when carrying out their work as an approved tachograph workshop.

3.1. Conflicts of interest with the fitter can include but are not limited to:

- A customer who is a family member
- A customer who is a close friend
- Any other customer that the fitter may be seen to have a conflict of interest with

3.2. Conflicts of interest with the workshop can include but are not limited to:

- A customer who is a family member of the workshop owner/management
- A vehicle which has been purchased from the dealer attached to the workshop
- A vehicle that is operated by the workshop
- Any other customer or vehicle that the workshop may be seen to have a conflict of interest with

3.3. Any relationship between the workshop/fitter and the customer that could be construed as a conflict of interest should be noted on the work record. These records with potential conflicts of interest should be stored separately from all other records so that they can be easily reviewed during an NSAI inspection.

4. Audits

4.1. NSAI is required by Regulation (EU) 165/2014 & Statutory Instrument No. 229 of 2017 to carry out regular audits. These audits may be announced or unannounced, on site or remote.

4.2. NSAI may appoint authorised officers for the purposes of conducting these audits and monitoring compliance of workshops and fitters.

4.3. An authorised officer, for the purposes of 4.2. above, may do one or more of the following;

- a) Enter the premises of an approved workshop at all reasonable times and search and inspect the premises and any records, vehicles or equipment that are at that place;
- b) Secure for later inspection any records, vehicles or equipment;



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- c) Remove any equipment or records from an approved workshop or from any vehicles at an approved workshop and retain them for such period as he or she reasonably considers to be necessary for the purposes of his or her functions;
 - d) Require any person at an approved workshop, including the owner or person in charge of the place, to give the authorised officer such information and assistance as the authorised officer may reasonably require for the purposes of his or her functions;
 - e) Require any person at an approved workshop, including the owner or person in charge of the place, to produce to the authorised officer such equipment or records (and in the case of records stored in non-legible form, a legible reproduction thereof) that are in the person's possession or procurement, or under that person's control, as he or she may reasonably require for the purposes of his or her functions;
 - f) Require any person, whom the authorised officer has reasonable grounds for believing to be, or to have been, an employee of a person involved in the operation of the workshop, or an employer, to answer such questions as the authorised officer may ask relative to any matter concerning his or her functions;
 - g) Where the place concerned is an approved workshop, carry out at that place tests for the purposes of ascertaining whether installations, checks, repairs and inspections of tachographs are being carried out in accordance with these Regulations, the Second Council Regulation and the Implementing Regulation.
- 4.4. Any workshop that is deemed to be obstructing these audits in any way will risk withdrawal of their approval, either temporarily or permanently.



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5. Peer to peer review

- 5.1 Workshops should organise that their fitters carry out peer-to-peer reviews on each other with regard to tachograph calibration. That is to say that one fitter would observe another while he/she carries out a calibration and would offer constructive feedback to them on their work. Peer to peer reviews should be recorded on the work record and the seal log.
- 5.2 For workshops with only one fitter must be demonstrated to NSAI that checks are in place to ensure that all fitters are correctly inspecting and calibrating tachographs. This should include a documented process which covers the integrity and consistency of the fitters when inspecting and calibrating.

This process should include but is not limited to:

- Step by step tachograph calibration procedure;
- Checks to ensure that correct paperwork is completed, signed and stored;
- A nominated person within the organisation to review and approve the inspection/calibration. (This should be completed once per month).

6. Non-renewal or withdrawal of approval

6.1. Non-renewal of approval

In the event that a workshop does not renew their approval, the following items must be returned to as soon as possible:

- a) Workshops cards to be returned to RSA with immediate effect;
- b) Sealing pliers to be sent to NSAI

6.2. Withdrawal of approval

In the case that any of the conditions of approval as detailed here are not adhered to, NSAI may withdraw/suspend a workshops' approval.



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6.2.1. Before making a decision to withdraw approval of a workshop or a fitter for breach of these conditions or the Regulations, NSAI shall:

- (a) notify the workshop concerned in writing that it proposes to withdraw the approval temporarily, or as the case may be permanently, provide reasons for the proposal to withdraw approval and give the workshop an opportunity to make representations in writing not later than 21 days from the date of issue of the notification, and
- (b) consider within 21 days the representations (if any) which have been made in accordance with subparagraph (a) by the workshop concerned.

6.2.2. A decision to withdraw approval of a workshop or a fitter shall state the reasons for the withdrawal and the date from which the withdrawal is to take effect.

6.2.3. If NSAI considers that there were a sufficiently serious breach of these conditions or the Regulations and without prior notification to the workshop or fitter concerned, withdraw approval granted to a workshop or fitter provided that:

- (a) the breach creates a significant risk to the reliability of the installation, repair, checks or inspections of tachographs at the workshop or by the fitter concerned, and
- (b) NSAI considers as soon as practicable any representations made by the fitter or workshop, as the case may be, as to why approval should not have been withdrawn.

6.2.4. Where NSAI withdraws approval in accordance with this Regulation, the person in relation to whom the approval is withdrawn shall, with immediate effect, surrender to RSA any workshop card issued to him or her.



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7. Record submission

At the time of renewal of approval, each workshop must complete the form sent by NSAI detailing how many calibrations were carried out (from 1st Jan to 31st December) and how many **major** irregularities were found in these calibrations. Major irregularities are those which could indicate tampering. For example, irregularities surrounding motion sensor, motion data error, motion sensor internal faults and so on. Irregularities that cause calibrations to be repeated should be recorded also. This is not an exhaustive list of examples, please refer to your tachograph training manual and circulars for further detail.

This information can be generated from the software provided with the digital tachograph inspection equipment (refer to your training manual). If your workshop carries out analogue tachograph calibrations and you have not been using the software to keep record of these, this information will have to be compiled separately and submitted to us at the same time.

Tachograph Workshop Approvals will not be renewed if this information is not provided.

It is the responsibility of the workshop that all approved fitters are made aware and understand the conditions of approval herein.

By renewing your approval for the year, you are agreeing that all tachograph work carried out at the workshop by approved fitters will be in accordance with these conditions.

8. Important Notice

This document is based on the requirements of the European Union (Road Transport) (Working Conditions and Road Safety) Regulations 2017: S.I. No. 229 of 2017.

Workshops are hereby advised it is considered a Class A Offence for a workshop, or persons working on its behalf, to fail to comply with the requirements as stated in S.I. No. 229 of 2017, and to do so may result in an initial fine of up to €4,000, or for repeat offence a fine up to €100,000.

Reference - <https://www.irishstatutebook.ie/2017/en/si/0229.html>