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ANNEX 1

ANNEX

to the COMMISSION IMPLEMENTING REGULATION (EU) .../...
of XXX

On a common formula for calculating the risk rating of transport undertakings

ANNEX [...]

COMMON FORMULA FOR CALCULATING THE RISK RATING OF TRANSPORT UNDERTAKINGS AND THE REQUIREMENTS FOR ITS APPLICATION

- (1) The overall risk rating of a transport undertaking shall be calculated using the following common formula:

$$R = \left(\frac{\sum_i \frac{n_{i_{MSI}} \times v_{MSI} + n_{i_{VSI}} \times v_{VSI} + n_{i_{SI}} \times v_{SI} + n_{i_{MI}} \times v_{MI}}{N_i}}{r} \right) \times g$$

Where:

R – the undertaking’s overall risk rating

n – number of infringements of a given type per individual check (all types of controls) in the last three rolling years

i – individual check

v – weighted score according to type/seriousness of infringement (MI/SI/VSI/MSI)

MSI – most serious infringement

VSI – very serious infringement

SI – serious infringement

MI – minor infringement

N – number of vehicles controlled during an individual check

r – total number of checks on the undertaking

g – weighting for the use of the smart tachograph pursuant to Chapter II of Regulation (EU) No 165/2014

- (2) The following principles and elements shall be used when applying the common formula:
- (3) Transport operators shall be classified into the following risk bands based on their score:

operators on which no checks were performed (grey band)

0-200 points: low-risk operators (green band)

201-500 points: medium-risk operators (amber band)

501 points or more: high risk operators (red band)

- (4) The weighted score of an individual check ('i') shall be calculated by applying the following weighting factors according to the type of infringement:

MI = 1

SI = 10

VSI = 40

MSI = 80

- (5) An undertakings' final risk rating shall take into account the total number of checks carried out, both at the roadside and at its premises, including those checks where no infringements were detected.
- (6) Checks where no infringements are detected shall be recorded with zero points.
- (7) The weighted score of an individual check shall take into account all the vehicles checked ('N').
- (8) The date of infringement that is taken into account in the common formula is deemed the date on which the infringement has become definitive, i.e. no longer subject to review.
- (9) If a check at a transport undertaking's premises establishes that its whole fleet is equipped with the smart tachograph pursuant to Chapter II of Regulation (EU) No 165/2014, its final score shall be multiplied by a factor of 0.9. This bonus shall be granted only once every three rolling years.