

Brussels, 22 October 2003

Driving licences: ensuring security, safety and free movement

The European Commission proposed today a revision of European legislation on driving licences to reduce possibilities of fraud, ensure a true freedom of movement to EU drivers and reinforce road safety. "This new proposal should finally abolish one of the last obstacles to the free movement of EU citizens", said Loyola de Palacio, Vice-President in charge of Energy and Transport, "More than 80 different driving licence models with different entitlements and validity periods are currently circulating in the Member States. Hardly any proper enforcement of driving licences is possible. It is time to equip European drivers with anti-fraud driving licences guaranteeing their right to drive vehicles for which they have the required qualifications. This will also facilitate the work of the administrative and enforcement authorities, and should contribute to reinforce safety on European roads".

The Commission proposed today to revamp European rules on driving licences which are held by around 200 million citizens in the Union. The aim is to combine greater freedom of movement, stricter anti-fraud measures and increased road safety to the benefit of all European road users. The new draft Directive thus proposes:

- **to generalise the plastic card type model of European licence.** This model allows for higher protection against fraud. Current paper driving licences will not be exchanged but will stop being issued from the date of application of the new legislation. Member States who so wish are allowed to equip the new driving licences with a microchip including the information printed on the card to reinforce further anti-fraud protection. The use of this microchip will be strictly limited to driving licence issues so as to ensure that a licence can still be withdrawn after a serious offence.
- **to introduce the notion of a limited administrative validity of driving licences.** All new driving licences issued from the date of application of the proposed Directive will have to be regularly renewed. Drivers will keep their acquired rights but the regular renewal of the document will limit the extensive possibilities of fraud that exist today by making it possible to update the anti-fraud protection of all licences as well as the holder's photograph. This will also ensure free movement of drivers: all driving licences will have the same validity periods and they will all be valid in any Member State without condition for this same administrative period. This will prevent Member States from applying restrictive measures to holders of non-national driving licences by subjecting them to national rules on validity periods and medical checks. All new licences of category A (motorcycles) and B (cars) would be valid for 10 years, 5 years if holders are over 65 years of age. All new licences of category C (trucks) and D (buses) will be valid for 5 years, one year if holders are over 65 years of age.

- **to put an end to “driving licence tourism” by ensuring a coherent and pan-European application in case of driving licence withdrawal.** Today, too many citizens establish themselves in another Member State to apply for a new driving licence when the Member State of their normal residence has withdrawn their driving licence because of a serious traffic offence. The Commission thus proposes to reinforce the concept of ‘one holder-one licence’, which will prevent a Member State from issuing a licence to a person who already holds another driving licence, also when such licence has been withdrawn.
- **to reinforce, in the interest of road safety, progressive access to:**
 - the **most powerful motorcycles** by varying the minimum age between 16 and 24 years, depending upon the technical characteristics of the motorcycle and the experience of the driver.
 - the **most powerful trucks and buses**, ensuring that all drivers of trucks and buses, including those that so far were not covered by legislation on the training of professional drivers, be subject to progressive access.
- **to introduce a new licence category for mopeds** which should improve road safety for the most vulnerable youngsters on our roads. A very popular means of transport, mopeds should no longer be left outside the scope of this legislation.
- **to harmonise the periodicity of medical checks for professional drivers.**
- **to introduce minimum requirements for the initial qualification and training of driving examiners** which had been so far left out of the scope of any harmonisation. This should contribute to increasing similarities between driving tests throughout the EU.

For more information see at:

http://europa.eu.int/comm/transport/home/drivinglicence/index_en.htm

New proposed categories, minimum ages and tests

AM: mopeds, max. design speed 45km/h, < 50 cm³ or power < 4kW

A1: light motorcycles, < 125cm³ or power < 11 kW with power/weight<0.1kW/kg

A2: motorcycles, power<35kW with power/weight < 0.2 kW/kg and not derived from a vehicle with more than double its power

A: motorcycles

B: motor vehicles <3500kg, not transporting more than 8 passengers in addition to driver + trailer <750 kg

B1: optional category of motor power tricycles and quadricycles

C: motor vehicles used for transport of goods >3500 kg + trailer < 750 kg

C1: motor vehicles used for the transport of goods >3500 kg but < 6000 kg and not transporting more than 8 passengers in addition to the driver + trailer < 750 kg

D: motor vehicles for the transport of more than 8 passengers + trailer < 750kg

D1: motor vehicles for the transport of not more than 16 passengers, max length 7 meters + trailer < 750kg

E: in combination with above categories, trailer >750kg

Category	General rule	Conditions	Exception rule
AM	16 years	Theory test	14 years possible on national territory only
A1	16 years	Theory and practical test	,
A2	18 years	Theory and practical test (no theory if holder category A1)	,
A	21 years for progressive access if minimum 3 years experience on A2 vehicle.	Restricted practical test only	,
A	24 years for direct access	Theory and practical test	,
B1	16 years	Theory and practical test	,
B and B+E	18 years	Theory and practical test	17 years possible for B on national territory only
C1 and C1+E	18 years	Theory and practical test	For professional drivers other age and training requirements need to be complied with. For more information please see Directive 2003/59/EC ¹
C and C+E	21 years	Theory and practical test	Idem. Younger minimum age possible for professional drivers see requirements in Directive 2003/59/EC.
D1 and D1+E	21 years	Theory and practical test	Idem. Younger minimum age possible for professional drivers see requirements in Directive 2003/59/EC.
D and D+E	24 years	Theory and practical test	Idem. Younger minimum age possible for professional drivers see requirements in Directive 2003/59/EC.

¹ JO L 226 du 10.09.2003 p 4

Frequently asked questions

- Will everybody have to renew his/her driving licence?

No. The proposed administrative renewal will apply only to licences issued from the date of application of the proposed Directive.

Of course driving licences issued by Member States that already imposed a limited validity will expire as foreseen. At the moment of expiry, the new administrative validity period will apply. And driving licences that have been lost or stolen will be replaced by a new driving licence with limited administrative validity.

- So currently valid licences will remain valid and will not have to be exchanged?

That is correct. Even a licence valid for life will remain valid for life. Also when you move to another country of the EU it will remain valid for life.

However, if you lose your licence or if it is stolen, the new rule will apply as a new licence will have to be issued in replacement.

- This means that in case of theft my rights can be reduced?

No, the rights inherent to the driving licence will be guaranteed, but the new licence issued in replacement of the stolen licence will have a limited administrative validity and will have to be renewed at regular intervals.

- Why does the Commission propose to introduce an obligatory renewal of driving licences every 10 years?

Today, more than 80 different driving licence models are circulating in the EU. Therefore, no enforcement is carried out and authorities have difficulties in determining and guaranteeing the rights of licence holders. This leads to road safety and security problems as well as problems in the free circulation of citizens.

Moreover, many licences have no protection against fraud whatsoever. In the light of the events of 11 September 2001, this is no longer acceptable, given the fact that driving licences are widely accepted as identity documents and anyway confer the right to drive vehicles of sometimes important weights and dimensions.

Regular renewal is the only long term solution: it will allow to constantly renew all driving licences that are circulating, integrating the newest state-of-the-art techniques in anti-fraud protection. It will prevent us from reverting to the present situation of so many different models in the future.

- Do other countries in the world have limited validities for their driving licences?

Yes. Licences in the US, Canada, Japan and Australia are all limited in time, in general between two and four years. The discussion of anti-fraud protection is currently on the agenda of international organisations such as the International Standardisation Organisation and the United Nations Economic Commission for Europe.

- Why not replace all paper driving licences by credit card models by the entry into force of the Directive?

The Commission does not propose to replace all paper licences that are still valid and in circulation because:

(a) this would result in a massive exchange procedure that will be impossible to handle: the vast majority of licences are paper licences or plastic cards of a different format than the current EU model. The replacement exercise, even allowing for a large time frame, would need to increase tenfold the production of plastic card licences as well as the authorities issuing the licences.

(b) acquired rights should not be touched. This would result in an intrusion in rights that have been granted to citizens by their competent national authorities. Earlier Commission Decisions have been taken to guarantee such rights.²

However, Member States are obliged to take all necessary measures to ensure the best level of anti-fraud protection, including the monitoring of fraud of older driving licence models, leading eventually to their phasing-out. This allows to make a distinction between older models that present a sufficient anti-fraud protection and those that do not present any protection whatsoever. The responsibility is laid with the Member States as, in line with the subsidiarity principle, they are best placed to determine the pace of the replacement process.

- But this means that there is a contradiction in the proposal: on the one hand the Commission wants to impose a regular renewal of new licences in order to combat fraud and on the other hand it does not propose to renew all existing models. Is this not illogical?

No. The Commission makes a proposal that is practical, feasible and legally correct. Withdrawing all old licences and renewing them would only be possible at very high cost and by massively revoking documents and acquired rights. Therefore this competence is left to the Member States and the Commission will of course monitor this process.

- Does the Commission propose that I need to renew my car driving licence when I get 65 or 75?

Only holders of new driving licences will be subject to administrative renewals. The proposal does not touch holders of driving licences today. Of course driving licences with limited validity will expire and will have to be renewed in time.

- Will the microchip on the driving licence be mandatory?

No. Only Member States that wish to introduce a microchip may do so. They will have to comply with the technical annex that will be fixed by the Commission in order to ensure future compatibility.

² Commission Decision 2000/275/EC of 21 March 2000 on equivalences between categories of driving licences, JO L 91 of 12.4.2000, p.1 as amended by Commission Decision 2002/256/EC of 25.3.2002, JO L 87 of 4.4.2002, p.57

- Will Member States be able to use the microchip for penalty point systems or other purposes?

The reason for introducing a microchip is to improve the protection against fraud. All information that can be read on the driving licence will also be stored in the chip. If a Member State decides to introduce additional information in the chip, it will have to respect the EU legislation on protection of personal data. However only information directly related to the function of a driving licence can be stored on the microchip, such as to guarantee its proper functioning.

- Won't the proposed microchip lead to "Big Brother Watching You"?

No. Again, this fear is unfounded as the EU has adopted legislation on the protection of personal data. Moreover, the driving licence function has to be guaranteed and no other information that what already figures on the driving licence may be included in the microchip. This means that also in the future it remains possible to withdraw a driving licence if the holder has committed an infringement.

- Does the Commission want to impose medical checks at the moment of administrative renewal?

No. The Commission does not propose an obligation for medical checks for licence holders of cars or motorcycles. Member States however can choose to impose medical checks or other road safety measures at the time of renewal if they so wish.

For truck and bus drivers the Commission proposes to harmonise the periodicity of these already mandatory medical checks and make them coincide with administrative renewal.

- Does the Commission propose a mandatory eyesight check at the moment of renewal?

No. The Commission does not propose a specific eyesight check for cars or motorcycles. With regard to truck and bus drivers, vision testing is a part of the medical check that is already mandatory today.

- Does the Commission want to forbid 14 year olds from driving mopeds?

No. The Commission proposes that throughout the Union a theory test be imposed as a minimum requirement to drive mopeds. Member States remain free to impose further requirements such as a practical test or a medical examination. As far as age is concerned the minimum age proposed is 16, however Member States will be able to allow 14 year olds to drive mopeds on their national territory.

- Does the Commission propose that 17 year olds be prevented from driving a car?

No. The present directive remains unchanged on this point. Member States will still be allowed to issue driving licences for cars (category B) to 17 years old citizens for driving on their territory. However, the Commission proposes to no longer allow a 17 year old to hold a car plus trailer licence (category B+E). Only 18 year olds should be able to apply for such a licence in the future. In this way, prior experience can be gathered by driving a car.

It has to be noted that the regular minimum age remains 18, which is still the minimum age at which almost all Member States issue category B driving licences.

- Does the Commission propose that 21 year olds be prevented from driving heavy motorcycles?

No. The present directive is refining the system of progressive access to the most powerful motorcycles. Access will still be possible in two ways: either direct access or progressive access. Today, direct access is given at 21 and staged access as from 20 after two years of experience on a limited motorcycle. If a 21 year old has acquired prior experience of 3 years on a limited motorcycle (category A2) then this person will be able to get access at 21 to the most powerful motorcycles by passing a practical test. However, without this prior experience, they will have to wait until the age of 24.

The Commission would like to improve the current system of progressive access. Today, youngsters often wait until 21 and then get direct access to the most powerful motorcycles without any prior experience. But some also obtain a driving licence for the limited motorcycle at 18 and then simply wait two years before buying an unrestricted motorcycle. This is possible as there is no control whatsoever today on the experience gathered on the limited motorcycle. The proposal made by the Commission should stop this and should improve road safety.

- Does the Commission propose that caravans can no longer be driven with a car driving licence (category B)?

The Commission proposes to simplify and reinforce the coherence of the "trailer" driving licences. Car-trailer combinations can today be driven with a simple category B driving licence as long as the combination does not exceed 3500 kilos and as long as the maximum authorised mass of the trailer does not exceed the unladen mass of the car. This current definition is very complex and has created difficulties for citizens changing either their car or their trailer. This definition also discriminates against drivers of trucks and buses which are not given similar rights for their categories of driving licences even if they often have more experience and much in depth training and tests to undergo.

The Commission thus aims at ensuring that car drivers get adequate training and testing for driving vehicle combinations that often can be as long as 8 to 12 metres in length. This means indeed that most caravans in the future can only be driven when holding a category B+E driving licence.

On the other hand, all acquired rights will be guaranteed and thus holders of licences issued before the date of application of the present proposal will continue to be able to make use of this right.

- Why does the Commission propose requirements for examiners?

In some Member States examiners have almost no specific training or do not even hold the driving licence for the category they are examining. This should no longer be possible. The present proposal introduces minimum requirements for the initial qualification and periodic training of examiners. This will lead to better test quality throughout the EU and will enhance the comparability of results, an important factor in a system of mutual recognition of driving licences. It will also contribute to reinforcing road safety.