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Proposal for a

DIRECTIVE EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on driving licences

(Recasting)

(presented by the Commission)

EXPLANATORY MEMORANDUM

INTRODUCTION

Background

Directive 91/439/EEC on driving licences¹ is governed by two main principles: enhancing the free movement of Community citizens and contributing to an improvement in road safety. These principles continue to be the main guidelines for the future legislation on driver licensing.

From a quantitative viewpoint, European legislation on driving licences has a direct impact on a very large number of Community citizens. An estimated 60% of the overall population within the Union holds a valid driving licence (around 200 million citizens). A great number of these citizens make cross-border journeys within the EU for private or professional purposes, and every year many citizens change country of residence. The direct impact of Community driver licensing legislation on citizens therefore cannot be underestimated.

In the recent past, a number of measures have been taken in order to harmonise existing national licensing systems. However, the legislation on driver licensing has developed in stages and thus the degree of harmonisation of various aspects has been rather limited. Until the adoption of Council Directive 80/1263/EEC, the main act of international law was the Vienna Convention on Road Traffic (1968)². This Convention dealt with international cross-border traffic. Whenever Community citizens took up residence in another Member State, bilateral agreements applied. In many cases, citizens had to exchange their licences and pass another theory, practical and medical examination in order to obtain a driving licence issued by the new Member State of normal residence. The European Court of Justice, however, deemed this practice to be an obstacle to the free movement of persons and urged the institutions to adopt the necessary legislation in that field³. The “First Council Directive 80/1263/EEC on the introduction of a Community driving licence”⁴ thus introduced the principle that licences issued by other Member States had to be recognised without imposing new checks. The licence holder, however, still had to exchange the licence within one year of taking up residence in a new Member State.

By requiring that licences had to be exchanged, an administrative obstacle to the free movement of persons remained within the legal framework established by Directive 80/1263/EEC. Citizens were frequently unaware of this legal obligation, which was not surprising given that no indication of the obligation was recorded on the driving licence. Directive 91/439/EEC abolished this administrative procedure and the mandatory principle of mutual recognition was introduced. However, the application and implementation of this principle has been impeded by the fact that validity periods of licences and the periodicity of the medical examination were not harmonised. As the legal systems of driver licensing continue to differ considerably on those points in the 18 Member States of the EEA, the legal uncertainty for citizens who take up residence in another Member State has increased instead

¹ OJ L 237, 24.8.1991, p. 1.

² Convention on Road Traffic, 8 November 1968, United Nations Treaty Series, Vol. 1042, p.17.

³ Case 16/78 *Choquet* [1978] ECR 2293.

⁴ OJ L 375, 31.12.1980, p. 1.

of diminishing. This is described in detail in the “Interpretative Communication on Community driver licensing” adopted by the Commission in March 2002⁵.

It is essential that this legal uncertainty for citizens, which hinders their free movement, is taken away. This aspect of driver licensing falls within the framework of the much wider objectives set by the European Council in the “Lisbon agenda”, namely achieving 100% functioning of the internal market. Taking away the last obstacle to free movement in this area can be seen as the end of a process of gradual harmonisation.

Anti-fraud protection

An aspect that has become increasingly important, most certainly after 11 September 2001, is the aspect of anti-fraud protection. This aspect has been raised at EU level as well as by the governmental experts responsible for driver licensing, and has been identified as a matter of major concern.

It has to be stressed that under the present situation hardly any proper enforcement of driving licences is possible. Because of the lack of harmonisation of validity periods, more than 80 different models and corresponding different entitlements are valid and in circulation in the Member States. Yet a driving licence not only gives access to all kind of vehicles, possibly with considerable weights and dimensions; in many EU countries it can also be used as an identification document to open a bank account or to book flights

Therefore, for the reasons of anti-fraud protection and free movement of citizens, it is proposed that:

- the paper driving licence model can no longer be issued with a view to further restricting the number of licence models in circulation today. The only Community driving licence model to be issued will be a plastic “credit” card type, which allows for higher protection against fraud;
- further improvement in the protection against fraud be made by creating the possibility of introducing a microchip. This will allow Member States choosing to introduce a microchip on the driving licence to repeat the information printed on the card in the microchip. This limited function thus makes it possible to increase anti-fraud protection (e.g. to secure it by using for example a PKI (Public Key Infrastructure) and/or a digital signature and at the same time to ensure protection of the data and information relating to citizens. The function of the microchip is explicitly limited to the function of a driving licence. The possibility of the licence being withdrawn after a serious offence is thus safeguarded;
- the concept be introduced of limited administrative validity of driving licences. This implies:
 - the introduction of regular administrative renewal of driving licences, which will allow the anti-fraud protection of all licences to be continuously updated;

⁵ OJ C 77, 28.3.2002, p. 5.

- the possibility of updating the photograph on the licence at the same time, which is another anti-fraud element that eases the administration and enforcement of driving licences.

Limited administrative validity does not call into question the right to drive a given category of vehicle, it merely obliges the document showing this right to be renewed. Citizens will keep their acquired rights, but the regular renewal of the document will help to reduce the extensive possibilities for fraud there are today.

It is this last measure that will allow at the same time the last remaining obstacles to the free movement of citizens to be completely abolished. As all newly issued driving licences will have the same administrative validity, which is shown on the driving licence, no further national rules need to be applied or calculated, as is the case today. The right to drive is clearly established by the document itself and thus easy to recognise by the holder, the administrative authorities and the enforcement authorities.

As regards driving licences that are already in circulation, the present proposal, with the newly introduced administrative validity, abolishes the right of Member States to apply their own validity period to holders of licences issued by other Member States who establish their normal residence on their territory. Their licences will remain valid as stipulated on the driving licence. Before expiry, the holder will have to renew the driving licence in the Member State of normal residence. These provisions will finally provide the necessary legal security for the holder of a driving licence.

There is no proposal to exchange all existing old driving licence models, either for lack of sufficient anti-fraud protection, or because of differing validity periods. Such a provision would mean that millions of driving licences would have to be exchanged, an operation of such magnitude that it would be difficult to manage even when spread over a period of 5 or 10 years. It is therefore proposed that the limited administrative validity should only apply to driving licences issued from the date of application of this Directive. This will lead to a gradual phasing-out of old models.

Of course, not renewing all existing licences will mean that for a lengthy period certain old licence models that are in circulation will have less anti-fraud protection. However, Directive 91/439/EEC already obliged Member States to ensure that all possible anti-fraud measures are taken, and this article has been redrafted to include the monitoring of fraud of older driving licence models, leading eventually to the phasing-out of older models. This makes it possible to make a distinction between older models that have adequate anti-fraud protection and those that have no protection whatsoever. With the proposal in hand, the Commission will have the means to follow up this matter closely and initiate the necessary procedures if such licence models are not phased out by the Member States themselves. However, the responsibility will lie with the member States as, in line with the subsidiarity principle, they are best placed to determine the pace of the replacement process.

All the above measures - the introduction of limited administrative validity for new licences leading to a gradual reduction of the number of licence models, the deletion of the paper Community model driving licence and the possibility of inserting a microchip – will help to increase the level of anti-fraud protection and the possibilities of enforcement. These measures will therefore also contribute indirectly to road transport security, an important factor for the protection of the citizens of the European Union, given the access available to certain types of vehicles.

Road safety

Another important part of this proposal deals with aspects that will help to enhance road safety.

With regard to the harmonisation of subcategories⁶, Article 11 of Directive 91/439/EEC requires the Commission to table a proposal within five years of entry into force of the Directive (i.e. before 1 July 2001). Today, subcategories are optional. The harmonisation of subcategories should help to reinforce the principle of progressive access by varying the minimum age requirements between 16 and 24 years, depending upon the vehicle characteristics and/or responsibilities of drivers of specific vehicles. As such, the optional subcategories should be redefined as mandatory categories. A number of vehicle definitions have also been amended in this respect. These changes have to be considered in view of the requirements for road safety.

This proposal will also bring Directive 91/439/EEC on driving licences into line with the recent Directive 2003/59/EC on the initial qualification and periodic training of professional drivers⁷. In this manner, the principle of progressive access will also be put in place for truck and bus drivers who do not fall within the scope of Directive 2003/59/EC.

It is also important to mention at this point the introduction of a driving licence category for mopeds. Being a popular means of transport, especially for the young, but at the same time one of the most vulnerable categories of vehicle, mopeds should no longer be left outside the scope of this legislation.

While driver licensing has been harmonised to a great extent and mutual recognition is established as a general principle, the person who plays a vital role in the process, the driving examiner, has, so far, been left outside the scope of any harmonisation. Significant differences currently exist with regard to the quality of their training, whereas the function of a driving examiner is identical in all Member States. Therefore, a new Annex IV should be introduced, laying down minimum requirements for the initial qualification and permanent education of driving examiners. This should eventually result in raising the level of harmonisation of driving tests throughout the EU and the EEA.

At the time of administrative renewal, Member States can impose medical checks or other road safety measures, if they wish to do so. There will be no Community-wide obligation for medical checks for licence holders for cars or motorcycles for the moment. For holders of driving licences for trucks and buses, the periodicity of the already obligatory medical checks will be harmonised and coincide with this administrative renewal.

Last but not least, the present proposal addresses the issue of coherent, pan-European application of withdrawal of driving licences. This will be done by underpinning the principle of the uniqueness of driving licences (one holder – one licence). Today, too many citizens establish themselves in a different Member State in order to apply for a new driving licence when their Member State of normal residence has withdrawn their driving licence because of a serious traffic offence. This situation is highly unsatisfactory for road safety and amounts de

⁶ The sub-categories provided for by Directive 91/439/EEC are A1, B1, C1, C1+E, D1, D1+E. They are a subdivision of the main categories A - motorcycles, B - cars, C - trucks and D – buses.

⁷ OJ L 226, 10.9.2003.

facto to an infringement of Directive 91/439/EEC⁸. The present proposal explicitly states that Member States may not issue a new driving licence to a person whose driving licence has been withdrawn and who thus indirectly is still the holder of another driving licence. This proposal should therefore overcome so-called “driving licence tourism” and should complement the Convention on the mutual recognition of withdrawal of driving licences⁹, which deals with the same matter for persons in international traffic, a matter dealt with by the Geneva¹⁰ and Vienna Conventions¹¹.

Recasting

This proposal is a recasting of Directive 91/439/EEC, in line with the Interinstitutional Agreement on the recasting technique for legal acts¹². This means that it incorporates in a single text both the substantive amendments it makes to Directive 91/439/EEC and the unchanged provisions thereof. This proposal will replace and repeal Directive 91/439/EEC. This should help to make Community legislation more accessible and transparent.

Conclusion

In conclusion, the three main objectives of this proposal are as follows:

- reducing the possibilities of fraud: elimination of the possibility of issuing a paper model driving licence in favour of the plastic card driving licence model only; possibility of introducing a microchip on the driving licence; introduction of limited administrative validity for all new licences issued from the date of application of the proposal;
- guaranteeing the free movement of citizens by the same means of introducing limited administrative validity and by harmonising the periodicity of medical checks for professional drivers;
- contributing to improved road safety: introduction of a driving licence for mopeds; extension of the principle of progressive access to driving licences for the most powerful types of vehicles; introduction of minimum requirements for the initial qualification and periodic training of driving examiners; underpinning of the principle of the uniqueness of driving licence (one holder, one licence).

⁸ Article 7(5) of Directive 91/439/EEC stipulates that: “No person may hold a driving licence from more than one Member State”.

⁹ Council Act of 17 June 1998 drawing up the Convention on Driving Disqualifications, OJ C 216, 10.7.1998.

¹⁰ Convention on Road Safety, 19 September 1949, United Nations Treaty Series, Vol.125, p.3.

¹¹ See footnote 2.

¹² Interinstitutional Agreement of 28 March 2001 on a more structured use of the recasting technique for legal acts, OJ C 77, 28.3.2002.

I. REDUCING THE POSSIBILITIES OF FRAUD

I.1. Description of the present situation

- (1) A driving licence entitles the holder to drive a certain category of vehicle. This right is deemed very important both by society and by the national and Community legislator. For many people, the acquisition of a driving licence equals access to greater freedom of movement. The legislator has imposed strict rules for the issue and renewal of licences, which are entrusted to competent authorities and are based on the principle of normal residence. This makes for strict control of the entire process. Directive 91/439/EEC goes so far as to explicitly forbid any person from holding more than one driving licence.
- (2) However, once a driving licence has been issued, not all Member States implement a strict follow-up in the form of a regular renewal of the document. This lack of harmonisation on validity periods of driving licences is the main reason for a very large number of different licence models (more than 80) currently valid and in circulation in the Member States of the European Economic Area, many of which are not in accordance with the harmonised Community models. Many are several decades old and very easy to falsify. As a result, enforcement in the field of driving licences is almost non-existent in some Member States. Given the rights conferred by a driving licence, this situation should be rapidly and drastically improved.
- (3) In order to clarify the present situation, and in accordance with the obligation laid down in Article 10 of Directive 91/439/EEC, the Commission adopted a Decision on equivalences between certain categories of driving licences¹³. This Decision is an overview of all valid licence models and lays down the corresponding entitlements in terms of Article 3 of Directive 91/439/EEC¹⁴. The tables of equivalences contained within the above Decision are of considerable complexity and do not clarify the matter beyond a mere description of all existing licences. Harmonisation of validity periods would help gradually to reduce the number of licence models.
- (4) At present, the validity periods for car and motorcycle licences in four Member States are not limited in time.¹⁵ In many other Member States, some categories of licences are valid for several decades. By introducing a harmonised and regular mandatory exchange of licences, all new documents could be updated to introduce state-of-the-art security features to reduce the risk of forgery and fraud.
- (5) Regular renewal of the document would also guarantee that the photo on the driving licence is a recent likeness of the holder. This problem is most pronounced in those Member States where unlimited validity periods apply.

¹³ Commission Decision 2000/275/EC of 21 March 2000 on equivalences between certain categories of driving licences, OJ L 091, 12 April 2000, p. 1.

¹⁴ An example of an equivalence: a licence of category "B" issued in Germany between 1 June 1982 and 2 October 1990 is equivalent to categories B, B+E, C1 and C1+E as defined in Article 3 of Directive 91/439/EEC.

¹⁵ Austria, Belgium, France and Germany. However, France has recently decided to change this policy and is about to implement new legislation on this topic.

- (6) As a side effect, these measures will contribute to the security of transport. A reduced number of licence models, with higher anti-fraud protection, which are regularly renewed and thus more easily traceable, will enhance the possibilities of effective enforcement and proper administration.

I.2. Proposals

Proposal 1: deletion of Annex I, the paper model driving licence

- (7) To limit the number of different licence models that are in circulation, and to bring the protection against fraud to a higher level, the paper Community driving licence model should be abolished.

Proposal 2: optional introduction of a microchip

- (8) To increase the protection against fraud still further, Member States should be allowed to insert a microchip in the plastic card Community driving licence model. Repetition of the information printed on the card in the microchip makes it possible to increase the anti-fraud protection and at the same time to ensure protection of the data and information relating to citizens. The function of the microchip is limited to the function of a driving licence. The possibility of the licence being withdrawn after a serious offence is thus safeguarded.
- (9) The technical specifications remain to be established by the Commission through the Committee procedure in order to safeguard future interoperability. This will enhance the anti-fraud level of the document and will thus further increase the possibilities of enforcement. As a secondary effect, the security of transport operations and circulation with vehicles in general will be improved.

Proposal 3: administrative renewal (new Article 7, paragraph 2)

- (10) Licences of categories AM, A1, A2, A, B, B1 and B+E, which are issued by Member States after the entry into force of this Directive, will have a maximum administrative validity of 10 years. Licences of holders who are more than 65 years of age will have a maximum administrative validity of 5 years.
- (11) Licences of categories C, C+E, C1, C1+E, D, D+E, D1, D1+E issued by Member States after the entry into force of this Directive will have a maximum administrative validity of 5 years. Licences of holders who are more than 65 years of age will have a maximum administrative validity of 1 year. This is already current practice in most Member States.
- (12) The above administrative validity will apply to licences (of all categories) issued by Member States before the entry into force of the amendment to Directive 91/439/EEC only where the validity indicated on the licence runs out or when a licence has to be replaced in case of loss or theft.

Expected results

- (13) Harmonised, mandatory and regular administrative renewal of driving licences will help to achieve the following goals:

- fraud prevention: all documents in circulation would be updated regularly, using the most up-to-date security features to reduce forgery and fraud; the photo on the document will be a recent likeness of the holder;
 - gradual reduction of the number of licence models in circulation: this will help to clarify the complex situation at present and making for better possibilities of enforcement;
 - enhancement of free movement of licence holders: validity of licences will be harmonised, no further restrictions deriving from the application of national validity periods or from the imposition of regular medical checks.
- (14) The rule will not affect acquired rights and therefore only apply to newly issued licences. Only where a licence issued before entry into force of the present Directive has to be renewed or in case of loss or theft should the newly introduced administrative validity apply. The single plastic card driving licence model laid down by the existing Directive will then have to be issued in accordance with Article 1(1) and Annex I.
- (15) Because of the importance of the rights conferred by a category C or D (or their relevant sub and trailer categories) driving licence, the validity period of such a licence issued from the age of 65 should be limited to 1 year.

II. GUARANTEEING THE FREE MOVEMENT OF CITIZENS

II.1. Description of the present situation

- (16) Article 1(2) of Directive 91/439/EEC lays down that all licences issued by a Member State have to be mutually recognised. This principle applies without any additional obligation.¹⁶
- (17) At present, the principle of mutual recognition of licences issued in a Member State is obstructed by the regular application of national provisions on the validity of licences and the periodicity of medical examinations. Such a practice is in accordance with Article 1(3), which is an exception to the general principle of Article 1(2) referred to above.
- (18) Through application of Article 1(3), a Community citizen who changes his normal residence from one Member State to another may have to undergo a medical examination or find that his licence expires at a different time from the one noted on the licence, which would have applied in the Member State issuing his licence. At present, almost all Member States have different regimes regarding medical examinations and the period of validity of licences. This means that virtually no citizen who takes up normal residence in another Member State knows when his or

¹⁶ The determination of the scope of the principle of mutual recognition has been established by the ECJ in paragraph 26 of C-193/94 *Skanavi*: “Article 1(2) [...] provides for mutual recognition, without any formality, of driving licences issued by Member States”. An example of a formality would be the mandatory registration of licences on the occasion of taking up residence in another Member State.

her licence will expire because of differing validity periods, or knows when he or she has to undergo a medical check prescribed by that country's legislation.

- (19) For effective mutual recognition of all licences issued in Member States to be achieved on a general scale, the measures outlined below on validity periods and medical checks are to be adopted.

Validity periods

- (20) Periods of validity of licences are not yet harmonised. In some Member States, certain categories are issued for life; in others, licences have to be renewed at regular intervals or from a certain age.
- (21) Article 1(3) provides that Member States may apply their national provisions to the period of validity of licences. In practice, the validity regimes differ widely between Member States. As a result, in most cases a different period of validity applies to a licence holder in the event of changing residence. Where, for instance, a German licence holder moves to The Netherlands, he will have a document indicating that the licence is valid for life. The Netherlands will apply its legislation on validity periods and oblige the German licence holder to exchange his licence after a period of 10 years. Or if, for example, a Swedish licence holder goes to live in Spain to enjoy some of his years as a pensioner, then he will be confronted with the Spanish legislation requiring regular medical checks and licence renewals (instead of the purely administrative renewal every 10 years in Sweden). This situation creates legal uncertainty and a lack of transparency. This has been expressed by the complaints received by the Commission from hundreds of citizens, to the effect that the principle of mutual recognition has in practice not been effectively achieved and their free movement not guaranteed.
- (22) With respect to licence holders who establish their normal residence in another Member State, the additional practical problem of the calculation of validity periods arises. Since the periods differ throughout the Member States, the holder of a licence may be obliged to exchange his licence in a Member State where a shorter validity period applies, which also undermines the principle of mutual recognition.
- (23) The situation described above lacks transparency, both to citizens and to administrative authorities, and creates legal uncertainty. The information contained in the licence can no longer be trusted. This situation can only be clarified by harmonising the validity periods of licences. All new licences issued after the adoption of this Directive will have to be periodically renewed because of the administrative validity period and will be exchanged for a new model with state of the art security features.

Medical examinations

- (24) This issue is closely linked to validity periods. In the majority of Member States the imposition of medical examinations coincides with the period of validity of licences. However, the periodicity of medical examinations has not been harmonised by Directive 91/439/EEC. Article 1(3) allows Member States to apply the periodicity of the medical checks they impose on their citizens to citizens taking up residence on their territory.

- (25) Annex III to Directive 91/439/EEC lays down the minimum standards of physical and mental fitness for driving a power-driven vehicle. All licence holders have to comply with the physical and mental requirements laid down in this Annex both at the time of first issue and after obtaining a licence.
- (26) For the purposes of Annex III to Directive 91/439/EEC, the categories of driving licences have been divided into two groups. Group 1 comprises categories A1, A, B1, B and B+E (cars and motorcycles), Group 2 consists of categories C1, C1+E, C, C+E, D1, D1+E, D and D+E (buses and lorries).
- (27) As regards Group 1, no medical examination is imposed at the time of first issue of a driving licence. A medical examination is only prescribed in cases of doubt as to the applicant's ability to drive. Nor are medical examinations prescribed after a licence has been obtained. The current rules governing the intervals between medical examinations for these car and motorcycle licence categories are not the same in most Member States. Nonetheless, three main approaches can be identified throughout the Member States:
- no mandatory medical examination at all once the licence holder has obtained the initial driving licence;
 - mandatory medical examinations from a certain age onwards; or
 - mandatory medical examinations at 5 or 10-year intervals.
- (28) For drivers of buses and lorries (Group 2 vehicles) periodic medical examinations are required by Directive 91/439/EEC. The intervals between the examinations, however, are not specified. In practice, all Member States impose regular medical examinations for this group of drivers, mostly in 5-year intervals.
- (29) Clarification of national rules governing medical examinations would remove the obstacles described to effective mutual recognition of licences and to free movement of persons. This could be achieved by harmonising the periodicity for Group 2 drivers (trucks and buses) whereas for Group 1 drivers (cars and motorcycles) Member States should be allowed to carry out such examinations if they so wish, but at the time of renewal only. Such a measure will enhance transparency for citizens and authorities, achieve effective free movement of citizens and contribute to enhancing road safety.

II.2. Proposals

- (30) The above problems can be solved by the measure proposed in point I.2, the introduction of administrative renewal. This proposal will guarantee genuine free movement of citizens with regard to driving licences.
- (31) To provide for the introduction of an administrative validity period, Article 1(3) should be deleted. All newly issued driving licences will have identical administrative validity throughout the European Union. All old driving licences that are still valid and in circulation will have to be recognised as such without the possibility of restricting the validity or imposing restrictive measures such as medical checks.

III. CONTRIBUTING TO IMPROVED ROAD SAFETY

III.1. The issue of periodic medical examinations

Description of the present situation

- (32) Regular medical checks of drivers of buses and lorries are justified because of the increased responsibility of such drivers. In addition, the characteristics of such vehicles (weights, dimensions, load, etc.) and the amount of time spent driving require high expertise and increased physical fitness. The examinations to be undergone by such drivers will therefore be at regular intervals calculated from the date of issue of the licence. The requirements for the drivers of buses and lorries will be more stringent than for drivers of cars and motorcycles.
- (33) Harmonisation of the periodicity of medical examinations for holders of Group 2 licences, particularly professional drivers, is also proposed because different medical requirements in the Member States result in distortion of competition.

Proposal

- (34) Without prejudice to any provisions that may be adopted by the Council in the future, each Member State may, in accordance with national criteria, lay down the periodicity of medical examinations for categories AM A1, A2, A, B, B1 and B+E, provided that such examinations coincide with administrative renewal of the licence.
- (35) An examination as to the fulfilment of minimum health criteria as laid down in Annex III to the Directive on driving licences has to be carried out upon each administrative renewal of licences of categories C, C+E, C1, C1+E, D, D+E, D1 and D1+E.
- (36) The medical examinations to be undergone must coincide with the administrative renewal of the licence document. This will enhance transparency for citizens. The expiry date recorded on the licence must clearly indicate that the document has to be renewed; at that time a medical examination may be carried out for Group 1 or should be imposed for Group 2; a medical examination will not be required at a date other than the expiry date recorded on the licence.
- (37) Medical examinations will always be carried out in the Member State of normal residence where the renewal is taking place; in application of the principle of subsidiarity, Member States themselves may designate the competent authority.

III.2. Definitions of vehicle categories¹⁷

- (38) Practical application of Directive 91/439/EEC revealed a need to clarify definitions of several vehicle categories. Furthermore, Article 11 of Directive 91/439/EEC lays down the explicit obligation for the Commission to review subcategories within five years of the entry into force of the Directive (i.e. before 1 July 2001) and to suggest their possible harmonisation or elimination. In view of the requirements of road

¹⁷ The expression "vehicle categories" is used to mean vehicles that can be driven with a given category of driving licence.

safety, the concept of progressive access will be extended to certain categories of licences. For the purpose of transparency, all categories will be mentioned below. All subcategories will be made into categories in the proposed amendment and will be introduced in all Member States, except for category B1, which will remain optional for the moment.

III.2.1. Powered two-wheelers

Description of the present situation

Mopeds

- (39) At present, mopeds do not fall within the scope of Directive 91/439/EEC. However, accident figures suggest the need for the introduction of a new vehicle category for mopeds. In some Member States very young riders (as young as 14) are allowed to ride mopeds. At the same time European road accident statistics indicate a highly increased risk of accident involvement of very young road users. The introduction of a harmonised category AM and of a mandatory theory driving test can help to provide for better control of this vulnerable group of road users and make them more aware of traffic requirements.
- (40) It will also clarify the situation regarding moped riders crossing borders. In addition, the proposal aims to avoid the present problems of citizens who wish to rent a moped when on holiday. The entitlement to ride mopeds will be recognised throughout the Union in the event of a change of residence of the licence holder.

Light motorcycles

- (41) Light motorcycles are limited today to 125 cc and 11 kW. Directive 91/439/EEC does not impose a power to weight ratio. This could lead to ever lighter vehicles, thus achieving steadily increasing acceleration and top speed possibilities. The additional introduction of a power/weight criterion will prevent the targeting of very light and powerful vehicles at A1 licence holders.

Motorcycles

- (42) At present, Directive 91/439/EEC lays down the following rule on progressive access to heavy motorcycles: in order to be entitled to ride motorcycles exceeding a power/weight ratio of 0.16 kW/kg or a power of 25 kW, a driver is required to have had 2 years of previous experience on a smaller motorcycle not exceeding the above specifications. Thus, within the current category A for motorcycles, a limited and an unlimited category have been created by Directive 91/439/EEC. Each of the two types of motorcycle is indicated by a different pictogram on the driving licence model, but no distinction is made in the designation as both are called category A.
- (43) The limited category A is composed of many downtuned motorcycles. In many cases, manufacturers produce motorcycles for category A unlimited within the range of 300 cm³ to 1000 cm³ which they then artificially restrict to fall within category A limited. This so-called "downtuning" sometimes leads to the production of motorcycles with characteristics which are not consistent with the restricted power. Moreover, these motorcycles can also be tampered with before being ridden.

- (44) Furthermore, drivers could easily avoid the requirement of 2 years of practical driving experience simply by waiting two years after acquiring an “A limited” licence: for example, some applicants pass their examination at the age of 18, do not drive at all and then buy a heavy motorcycle when they reach the age of 20.
- (45) Equally, Member States could waive the requirement of previous driving experience by granting direct access to unlimited motorcycles as of the age of 21. Almost all Member States allow for direct access. Therefore, applicants could wait until they reach the age of 21 and in practice many do since the smaller motorcycles are not deemed to be sufficiently attractive.
- (46) As a result, many young drivers without practical experience ride the most powerful class of motorcycles and the current provisions do not make it possible to control whether any experience has effectively been acquired on a limited motorcycle. This practice conflicts with road safety, and therefore needs to be ended by introducing newly defined vehicle, minimum age and access criteria.
- (47) The new criteria are designed to limit the possibilities for downtuning more powerful motorcycles, thereby ending the practice of staged access without practical test and raising the minimum age for direct access. For the same reasons, the definition of category A limited should be revised to allow novice motorcyclists to gain experience on slightly more powerful motorcycles.
- (48) Therefore, the current category A, which is split at present into a limited and an unlimited part, will be renamed categories “A2” and “A” respectively. An additional technical requirement to avoid “downtuning” of motorcycles will be introduced for category A2. Progressive access to this category will be controlled by means of the introduction of a limited practical test.
- (49) The definition for heavy motorcycles remains unchanged; however, the minimum age for direct access to this category will be raised (see below).

Proposal

Mopeds

- (50) Mopeds, i.e. two or three-wheel vehicles with a maximum design speed not exceeding 45 km/h and characterised by an engine whose cylinder capacity does not exceed 50 cubic centimetres in the case of the internal combustion type, or whose maximum continuous rated power is no more than 4 kW in the case of an electric motor. Mopeds with a maximum design speed not exceeding 6 km/h as well as with pedal assistance are excluded. In the case of a three-wheel type moped, the maximum net power output of the engine may not exceed 4 kW in the case of other internal combustion engines. This definition is taken from Directive 2002/24/EC relating to the type-approval of two or three-wheel motor vehicles¹⁸.

¹⁸ Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Directive 92/61/EEC, OJ L 124, 9.5.2002, p. 1.

- (51) As regards light quadricycles, i.e. motor vehicles with four wheels, different traffic rules apply in a variety of cases. It thus seems inappropriate to include this group of vehicles in the present Directive. The definition is in line with Directive 2002/24/EC.
- (52) A theory test will be imposed as a minimum requirement for the entitlement to ride mopeds. Member States may introduce further requirements, such as a practical test or a medical examination. The introduction of additional requirements must not, however, prevent mutual recognition of licences issued in other Member States.

Light motorcycles

- (53) The definition of light motorcycles (category A1) should be amended as follows: light motorcycles with a cylinder capacity not exceeding 125 cubic centimetres, of a power not exceeding 11 kW and with a power/weight ratio not exceeding 0.1 kW/kg.
- (54) Article 3(5) of Directive 91/439/EEC, which lays down that Member States may impose additional restrictive rules, should be deleted.

Motorcycles

- (55) The definitions of motorcycles should be amended as follows:
- category A2: motorcycles, with or without a sidecar, of a power not exceeding 35 kW, a power/weight ratio not exceeding 0.2 kW/kg and not derived from a vehicle of more than double its power;
 - category A: motorcycles with or without sidecar.

General

- (56) A person holding a driving licence for a category of powered two-wheelers has the right to drive any of the lower categories of powered two-wheelers there may be.
- (57) If a person has already obtained a driving licence for category A1 or A2, the obligation to pass a theory test when acceding to a higher motorcycle category should be dropped. No realistic distinction can be made for the theory to be tested between categories A1, A2 and A. This will rule out any unnecessary testing. However, the practical test with a vehicle of the relevant category should be maintained because of the different vehicle characteristics of both categories.

III.2.4. Motor vehicles (categories B, B+E and B1)

Description of the present situation

- (58) The current definition of category B, according to which vehicle-trailer combinations of less than 3500 kg fall within category B if the maximum authorised mass of the trailer does not exceed the unladen mass of the tractor vehicle, results in practical problems: drivers who change either the tractor vehicle or the trailer may be obliged to pass an additional examination for category B+E. Moreover, some vehicle combinations, the properties and characteristics of which require particular skills to drive bigger trailers, fall within category B and not B+E (in some cases the combinations exceed 10 metres in length). A clear weight limit must be introduced

rather than a tractor vehicle/trailer ratio: trailers with a maximum authorised mass exceeding 750 kg may only be driven with a B+E licence. Even drivers of C and D vehicles have to pass an additional examination in order to be entitled to tow trailers of more than 750 kg. These new trailer definitions for categories B and B+E are in line with technical requirements insofar as in practice a braking system is required for trailers with more than 750 kg.

Proposal

- (59) The definitions of motor vehicle categories should be amended as follows:
- category B: motor vehicles with a maximum authorised mass not exceeding 3500 kg and not transporting more than 8 passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;
 - category B+E: combination of vehicles consisting of a tractor vehicle in category B and a trailer, the latter having a maximum of more than 750 kg.
- (60) With regard to category B1, motor-powered tricycles and quadricycles, the definition has been brought into line with Directive 2002/24/EC. Category B1 will remain optional.

III.2.5. Lorries and buses (categories C1, C1+E, C, C+E, D1, D1+E, D, D+E)

Description of the present situation

- (61) All lorry and bus categories: the current definitions of Directive 91/439/EEC refer to the number of seats. This leads to a situation where, for example, a vehicle such as a bus with mainly standing passengers and only a few seats may be driven by a category B or D1 licence holder, instead of a category D licence holder. This goes for all licence categories. The definition should therefore refer to the number of passengers rather than to the number of seats.
- (62) Categories C1 and D1: Subcategories C1 and D1 are currently optional and do not exist in all Member States of the European Union and of the EEA. These subcategories should be introduced as categories in all Member States as they will allow for a better distinction in terms of licensing between the biggest trucks and buses mostly used for commercial transport and the smaller trucks and buses used for different purposes.
- (63) The definitions of categories C1 and D1 should be revised in order to take fuller account of the technical characteristics of vehicles which fall within this group. Additional new criteria relating to the capacity and length of such vehicles will be inserted.
- (64) A C1 licence holder is allowed to drive vehicles ranging from 3500 to 7500 kg. Within these limits, two different types of vehicles are on the market: vehicles up to around 6000 kg and those above. Vehicles with a mass of less than 6000 kg are not fitted with air brakes or suspension systems and are generally built on an extended chassis for B vehicles. Vehicles exceeding 6000 kg are fitted with air brake/suspension systems and thus are more like smaller lorries and differ

structurally from vans below 6000 kg. The existence of two technically very different types of vehicles in the same driving licence category leads to a number of unwanted effects. First of all, the licence holder is trained and tested on the smaller vehicle whereas he is also allowed to drive the bigger vehicle which needs different driving skills. Secondly, vehicles between 6000 and 7500 kg are derived from the 12000 kg category of lorries: they are thus easily overloaded.

- (65) Furthermore, there are plans to introduce an equivalence, which will entitle D1 licence holders to drive C1 vehicles and vice versa, provided the age requirements for the two categories are met. The chassis of C1 vehicles of less than 6000 kg is generally of the same design as D1 vehicles; only the upper bodies of the vehicles differ.
- (66) Categories D1 and D: The definitions of categories D1 and D should be revised to include new criteria relating to the capacity and length of such vehicles.
- (67) As regards categories C, C1, D, D1 and their respective trailer categories, progressive access is a clear requirement of road safety. This derives from the fact that driving such vehicles requires increased experience due to the specific characteristics of vehicles falling within these groups, notably as regards their weights, dimensions, technical characteristics and their handling. Progressive access of this kind will be ensured by continued reference to the Community legislation on the initial qualification and periodic training of professional drivers and should be brought in line with that legislation.¹⁹ In this way, non-professional drivers will also be subject to the principle of progressive access.
- (68) In order to be comprehensive, all definitions are given below, even where they have not been amended.

Proposal

- (69) The definitions of the motor vehicle categories should be amended as follows:
- category C: motor vehicles used for the transport of goods, the maximum authorised mass of which exceeds 3500 kg and not transporting more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;
 - category C+E: combinations of vehicles where the tractor vehicle is in category C and its trailer has a maximum authorised mass of over 750 kg. (not amended);
 - category C1: motor vehicles used for the transport of goods, the maximum authorised mass of which exceeds 3500 kg, but does not exceed 6000 kg, and not transporting more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised

¹⁹ Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC, OJ L 226, 10.9.2003.

mass not exceeding 750 kg. The optional subcategory will be made into a full category and be introduced in all Member States;

- category C1+E: combinations of vehicles where the tractor vehicle is in category C1 and its trailer has a maximum authorised mass of over 750 kg, provided that the maximum authorised mass of the combination thus formed does not exceed 12 000 kg, and that the maximum authorised mass of the trailer does not exceed the unladen mass of the tractor vehicle. (not amended);
- category D: motor vehicles for the transport of passengers with a capacity to transport more than 8 passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;
- category D+E: combinations of vehicles where the tractor vehicle is in category D and its trailer has a maximum authorised mass of over 750 kg. (not amended);
- category D1: motor vehicles for the transport of passengers with a capacity to transport not more than 16 passengers in addition to the driver and with a maximum length not exceeding seven metres; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;
- category D1+E: combinations of vehicles where the tractor vehicle is in category D1 and its trailer has a maximum authorised mass of over than 750 kg, provided that:
 - firstly, the maximum authorised mass of the combination thus formed does not exceed 12 000 kg and the maximum authorised mass of the trailer does not exceed the unladen mass of the tractor vehicle;
 - secondly, the trailer is not used for the transport of persons. (not amended)

III.3. Minimum ages

Description of the present situation

- (70) Harmonisation of minimum ages contributes to the free movement of persons and has a direct impact on road safety.
- (71) Increasing the minimum age for direct access to heavy motorcycles is an urgent requirement to improve road safety. Accident statistics prove that the accident risk of novice drivers of heavy motorcycles is particularly high for drivers under 24 years of age. The minimum age limit should therefore be raised from the present 21 years to 24 years.
- (72) At the same time, the minimum number of years imposed for progressive access should be raised from two to three years, thus extending the experience requirement. Progressive access to such motorcycles should always be subject to a separate

practical examination on vehicles in the respective category, so that progressive access without the possession of practical driving skills is no longer possible.

- (73) The level of training standards for professional drivers has recently been established by Directive 2003/59/EC of the European Parliament and of the Council on the initial qualification and periodic training of drivers²⁰. Progressive access has been established for these drivers. The remaining, non-professional drivers, as referred to in Article 2 of the said Directive, should similarly be allowed access to these categories of licences, giving access to the higher categories only at a higher age.

Proposals

- (74) The age limit for A1 and B1 remains unchanged; for AM it will be 16 years, but Member States may authorise access to AM from the age of 14 having effect on national territory only.
- (75) The age limits for categories B and B+E will remain unchanged. The derogation from this minimum age in Article 6(2) of Directive 91/439/EEC, however, will be limited to category B: Member States may authorise access to B from the age of 17 having effect on national territory only.
- (76) To make for progressive access to categories C1, C, D1, D and their respective trailer categories based on the weights and dimensions of the vehicles driven, licences of categories C1 and C1+E will be issued to applicants from the age of 18 and licences of categories C and C+E from the age of 21. A similar distinction will be made for licences of categories D1 and D1+E which can be issued from the age of 21, whereas licences of categories D and D+E can only be issued from the age of 24. This applies to non-professional licence holders and is without prejudice to the rules laid down for professional drivers in conformity with Community rules on the initial qualification and periodic training as established by Directive 2003/59/EC.
- (77) Where the applicant has acquired at least three years driving experience on a motorcycle of category A2 and has passed a specific practical test for category A, he will be entitled to drive vehicles of category A from the age of 21. The practical test will be limited to driving in traffic, without any manoeuvring and technical control requirements being imposed. Attention will focus on driving outside urban areas and on high-speed road infrastructure. Bearing in mind road safety, direct access to category A will be limited to drivers who are at least 24 years of age.
- (78) Minimum ages would thus be as follows:
- categories AM, A1 and B1: 16 years; 14 years possible for AM (on national territory only)
 - category A2: 18 years
 - categories B and B+E: 18 years; 17 years possible for B (on national territory only)

²⁰

See footnote 7.

- categories C1 and C1+E: 18 years
- categories C and C+E: 21 years
- categories D1 and D1+E: 21 years
- categories D and D+E: 24 years
- category A: 21 years / 24 years.

III.4. Progressive access to motor vehicles

- (79) In order to allow some form of progressive access to be put in place in future amendments to this legislation, category B1 should remain optional.
- (80) The present proposal for a new Directive should allow Member States to reduce the administrative renewal of driving licences issued for the first time to a period of three years. In this way, specific measures can be applied to novice drivers to allow them to acquire more experience under set conditions.

III.5. Minimum requirements for driving examiners

Description of the present situation

- (81) Although still incomplete, Community harmonisation of driving licence legislation has been achieved to such an extent that the introduction of harmonised minimum standards for the qualifications and experience of driving examiners has to be identified as a priority. The standards as regards the training and education of driving examiners vary widely throughout the different Member States. Since theory and practical tests have been harmonised in detail, harmonisation of the minimum requirements for driving examiners is necessary in order to make test results comparable throughout the EU. Furthermore, appropriate training of examiners is a requirement of road safety. Refresher courses are necessary in order to maintain examiners' proper skills and experience in an ever faster changing technical environment.
- (82) In view of the described gradual progress in the harmonisation of driver licensing, minimum standards for the initial qualification of examiners should be introduced, along with regular refresher courses. At the same time, certain basic conditions for entering the profession of driving examiners have to be set.

Proposal (new Annex IV to Directive 91/439/EEC)

- (83) Driving examiners must always have a valid licence in the respective category they are examining. Furthermore, they must have obtained an initial qualification and be obliged to participate in periodic training.
- (84) Examiners must be trained extensively on fundamental subjects and obtain an initial qualification before being allowed to examine. Progressive access will apply in order to be entitled to test different categories: at first, examiners will test applicants for category B (which account for 90% of all examinations); only after gaining

experience on these tests and after obtaining additional qualification for other categories may they test applicants in other categories.

IV. VARIOUS

IV.1. Evaluation (Article 15)

- (85) Five years after the deadline for transposition of this Directive into national legislation, an evaluation of the newly introduced provisions will be carried out with regard to definitions of categories (and minimum ages) and their effects on road safety. At the same time, an evaluation with regard to the possible introduction of progressive access to category B, including category B1, will also be carried out.

IV.2. Adaptations of the Community model (Annex I)

- (86) Categories AM, A1, A2 and A will be indicated on the licence model issued after entry into force of the present proposal (layout of the Community model).

IV.3. Testing vehicles (Annex II)

- (87) New testing vehicles for motorcycles will have to be defined, given the changed definitions for motorcycle categories (described in III.2. above).

V. SUBSIDIARITY ASPECTS

- (88) The Community already has competence in the area of driving licences by virtue of Council Directive 91/439/EEC, repealing the first Directive on driving licences, Directive 80/1263/EEC. The amendments outlined above remain within the competencies conferred upon the Community by virtue of Article 71(1)(c) of the EC Treaty. Under this provision the European Parliament and the Council must, acting in accordance with the co-decision procedure, lay down measures to improve transport safety.
- (89) To a large extent, the proposed amendments aim to improve road safety as an aspect of transport safety. They will improve the overall European standard of driver licensing-related safety aspects by means of harmonised driver licensing legislation. Furthermore, a large number of the proposed measures are designed to enhance the free movement of driving licence holders, who represent a large proportion of European citizens. This ties in with the objectives of the “Lisbon Agenda”. Moreover, the case law of the Court of Justice of the European Communities underlines the effects that driver licensing may have on the free movement of citizens, one of the core liberties guaranteed by the Union Treaty.
- (90) The proposed measures will indirectly enhance the security of transport through the enhanced anti-fraud protection of the Community licence model, the optional introduction of a microchip and the deletion of the paper model Community driving licence.
- (91) The objectives of the proposed legislative measures cannot be sufficiently achieved by the Member States alone. National systems of driver licensing vary widely and in

particular do not emphasise the aspects of free movement and freedom of establishment. Again, this has been clearly stressed by the Court of Justice of the European Communities.

↓ 91/439EEC (adapted)

Proposal for a

**DIRECTIVE .../.../EC OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL**

of [...]

on driving licences

(Recasting)

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article ~~71~~ ~~75~~ thereof,

Having regard to the proposal from the Commission²¹,

Having regard to the opinion of the European Economic and Social Committee²²,

Acting in accordance with the procedure laid down in Article 251 of the Treaty²³,

Whereas:

↓ 91/439/EEC recital 1 (adapted)

~~Whereas, for the purpose of the common transport policy, and as a contribution to improving road traffic safety, as well as to facilitate the movement of persons settling in a Member State other than that in which they have passed a driving test, it is desirable that there should be a Community model national driving licence mutually recognised by the Member States without any obligation to exchange;~~

²¹ JO n° C 48 27.2.1989, p. 4.

²² JO n° C 159 26.6.1989, p. 21.

²³ JO C

↓ 91/439/EEC recital 2 (adapted)

~~Whereas the first step in this direction was taken with the First Council Directive 80/1263/EEC, of 4 December 1980 on the introduction of a Community driving licence²⁴, which established a Community model national licence and the mutual recognition by Member States of national licences as well as the exchange of licences by holders transferring their place of normal residence or place of employment from one Member State to another; whereas the progress made must be continued;~~

↓ 91/439/EEC recital 3 (adapted)

~~Whereas the Community model national licence established by Directive 80/1263/EEC should be adapted to take account, inter alia, of the harmonisation of categories and subcategories of vehicles and to make licences more readily comprehensible both inside and outside the Community;~~

↓ new

- (1) Council Directive 91/439/EEC of 29 July 1991 on driving licences²⁵ has been substantially amended several times. When introducing new amendments, it is appropriate to recast the Directive for the sake of clarity.
- (2) Despite the progress achieved with harmonising the rules on driving licences, there are still fundamental differences between the laws of the Member States, which need to be harmonised more fully, in order to contribute to the implementation of Community policies. The rules on driving licences are essential factors in the implementation of the common transport policy and with a view to improving road safety, and facilitating the movement of persons taking up residence in a Member State other than the one in which the licence was issued. Given the importance of private transport, the fact of holding a driving licence duly recognised by a host Member State will promote free movement and freedom of establishment of citizens.
- (3) The possibility of laying down national provisions with regard to the period of validity provided for in Directive 91/439/EEC leads to the co-existence of different rules in different Member States and over 80 different models of driving licences valid in the Member States. This creates problems of transparency for citizens, police forces and the administrations responsible for the administration of driving licences and leads to the falsification of documents which sometimes date back several decades. For these reasons, it is appropriate to harmonise the rules concerning the period of validity of driving licences issued or renewed as from the the date on which this Directive becomes applicable.

²⁴ ~~OJ No L 375, 31.12.1980, p. 1.~~

²⁵ OJ L 237, 24.8.1991, p. 1. Directive last amended by Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 (OJ L 226, 10.9.2003, p. 4).

- (4) The introduction of an administrative period of validity will make it possible to renew driving licences regularly in order to apply the most recent counter-falsification measures and apply at the time of periodic renewal the medical examinations or other measures provided for by the Member States, such as courses to update theoretical knowledge or practical skills.
- (5) The Member States may impose medical examinations as a guarantee of compliance with the minimum standards of physical and mental aptitude for driving a motor vehicle. For reasons of transparency, this frequency should coincide with the renewal of driving licences where an examination is required and is therefore determined by the period of validity of the licence.
- (6) Compliance with minimum standards with regard to physical and mental aptitude for driving a motor vehicle for drivers of vehicles used for the transport of persons or goods in certain categories should be checked in a medical examination when the driving licence is issued, and periodically thereafter, in accordance with the national legislative provisions; it is necessary to harmonise the frequency of medical examinations in order to contribute to the free movement of workers, to avoid distortions of competition and to take into account the liability of drivers of such vehicles.
- (7) With regard to minimum ages, it is necessary to strengthen further the principle of progressive access to the categories. For the different categories of two-wheel vehicles, and the different categories of vehicles used for the transport of persons or goods, it is appropriate to vary still further the procedures governing access to the categories of licences. Category B1 should remain optional, with a possibility of derogation as to the minimum age, in order to allow the introduction of progressive access to that category in the future.
- (8) The categories should be harmonised in order to strengthen the principle of progressive access.
- (9) The definitions both of these new categories and of the existing categories should reflect to a greater extent the technical characteristics of the vehicles concerned and the control needed to drive a vehicle.
- (10) Introducing a category of driving licences for mopeds will, in particular, increase road safety as regards the youngest drivers who, according to the statistics, are the hardest hit by road accidents.

↓ 91/439/EEC recital 4

- (11) On road safety grounds, the minimum requirements for the issue of a driving licence should be laid down.

↓ 91/439/EEC recital 5 (adapted)

~~Whereas Article 3 of Directive 80/1263/EEC stipulates that final provisions generalising in the Community the categories of vehicles mentioned in that Article should be adopted without the possibility of derogation, as should the conditions of validity of driving;~~

↓ 91/439/EEC recital 6 (adapted)

~~Whereas provision should be made for the possibility of subdividing the said categories of vehicles in order to promote, in particular, access in gradual stages to driving such vehicles in the interests of road safety and to take account of existing national;~~

↓ 91/439/EEC recital 7

(12) Specific provisions should be adopted to make it easier for physically handicapped persons to drive vehicles.

↓ 91/439/EEC recital 8 (adapted)

~~Whereas Article 10 of Directive 80/1263/EEC provides for more detailed harmonisation of the standards for driving tests and licensing, whereas to this end the knowledge, skills and behaviour connected with driving motor vehicles should be defined and the driving test based on these concepts; whereas the minimum standards of physical and mental fitness for driving such vehicles should be redefined;~~

↓ 91/439/EEC recital 9 (adapted)

~~Whereas the provisions set out in Article 8 of Directive 80/1263/EEC, and in particular the obligation to exchange driving licences within a period of one year of changing normal residence, constitute an obstacle to the free movement of persons; whereas this is inadmissible in the light of the progress made towards European integration;~~

↓ 91/439/EEC recital 10
(adapted)

(13) For reasons connected with road safety and traffic, Member States should be able to apply their national provisions on the withdrawal, suspension and cancellation of driving licences to all licence holders having acquired normal residence in their territory.

- (14) The model driving licence as set out in Directive 91/439/EEC should be replaced by a single model in the form of a plastic card. At the same time, this model driving licence needs to be adapted on account of the introduction of a new category of driving licences for mopeds.
- (15) The introduction of an optional microchip in the model driving licence in the form of a credit card should enable the Member States to improve still further the level of anti-fraud protection. The technical requirements for the microchip will be determined by the Commission, assisted by the committee on driving licences.
- (16) Minimum standards concerning access to the profession of examiner should be established, in order to improve the knowledge and skills of examiners, to ensure a more objective evaluation of driving licence applicants, to achieve greater harmonisation of driving examinations, and to reinforce the general principle of mutual recognition of driving licences.
- (17) The Commission should be allowed to undertake the adaptation of Annexes I to IV to technical progress.
- (18) It is appropriate to take the requisite measures to implement this Directive in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down procedures for the exercise of implementing powers conferred on the Commission²⁶.
- (19) Given that the objectives of the action envisaged cannot be achieved sufficiently by the Member States and may, therefore, on account of their scale and their effects be better achieved at Community level, the Community can take measures in accordance with Article 5 of the Treaty. In accordance with the proportionality principle as set out in that Article, this Directive does not exceed what is necessary to achieve those objectives.
- (20) This Directive must not prejudice the obligations of the Member States concerning the deadlines for transposition into national law and application of the Directives listed in Annex V, Part B,

²⁶ OJ L 184, 17.7.1999, p. 23.

↓ 91/439/EEC (adapted)
→₁ 96/47/EC Art. 1, pt. 1
→₂ 94/72/EC Art. 1

☒ HAVE ~~☒ HAS~~ ADOPTED THIS DIRECTIVE:

Article 1

☒ *Model licence* ☒

1. Member States shall introduce a national driving licence based on the Community model described in Annex I →₁ ~~or I a~~ ←, in accordance with the provisions of this Directive. →₂ ~~However, the Republic of Finland and the Kingdom of Sweden may continue to issue driving licences based on their present model until 31 December 1997.~~ ←

↓ new

2. Member States shall have the right to incorporate in the driving licences which they issue a microchip as soon as the technical requirements are laid down by the Commission in accordance with the procedure provided for in Article 10. The Commission shall ensure that the technical requirements concerning the microchip to be incorporated in the driving licence provide for EC type-approval, which shall only be granted when the ability to resist attempts to tamper with or alter data is demonstrated. The microchip incorporates driving licence data and may not have functions other than those directly related to the driving licence.

↓ 91/439/EEC (adapted)

☒ *Article 2*

Mutual recognition ☒

≙ Driving licences issued by Member States shall be mutually recognised.

~~3. Where the holder of a valid national driving licence takes up normal residence in a Member State other than that which issued the licence, the host Member State may apply to the holder of the licence its national rules on the period of validity of the licence, medical checks and tax arrangements and may enter on the licence any information indispensable for administration.~~

↓ 91/439/EEC Art. 2 (adapted)

Article 3

⊗ *Anti-forgery measures* ⊗

↓ 91/439/EEC
⇒ new

1. The emblem on page 1 of the Community model driving licences shall contain the distinguishing sign of the Member State issuing the licence.
2. Member States shall take all necessary steps to avoid any risk of forgery of driving licences ⇒, including that of model driving licences issued before the entry into force of this Directive. They shall inform the Commission thereof ⇐.

↓ 91/439/EEC (adapted)
→₁ 96/47/EC Art. 1, pt. 1

~~3. With the agreement of the Commission, Member States may make to the model given in Annex I →₁ or Ia ← such adjustments as are necessary for computer processing of the driving licence.~~

↓ 96/47/EC Art. 1, pt. 2 (adapted)

~~4. Without prejudice to provisions to be adopted by the Council in this regard, the model driving licences specified in Annexes I and Ia may not contain any computerised electronic devices.~~

↓ 91/439/EEC Art. 3 (adapted)

Article 4

⊗ *Categories* ⊗

↓ 91/439/EEC

1. The driving licence provided for in Article 1 shall authorise the driving of vehicles in the following categories:

↓ new

Category AM:

- Mopeds, namely two- or three-wheel vehicles with a maximum design speed exceeding 6 km/h but not exceeding 45 km/h and characterised by an engine whose cubic capacity does not exceed 50 cubic centimetres in the case of the internal combustion type, or whose maximum continuous rated power is no more than 4 kW in the case of an electric motor. In the case of a three-wheel moped, the maximum net power output of the engine may not exceed 4 kW in the case of other internal combustion engines;

Category A1:

- Light motorcycles with a cylinder capacity not exceeding 125 cubic centimetres, of a power not exceeding 11 kW and with a power/weight ratio not exceeding 0.1 kW/kg;

Category A 2:

- motorcycles, with or without a sidecar, of a power not exceeding 35 kW, a power/weight ratio not exceeding 0.2 kW/kg and not derived from a vehicle of more than double its power;

↓ 91/439/EEC

Category A:

- motorcycles, with or without a sidecar ;

↓ new

Category B 1:

- motor-powered tricycles and quadricycles;

↓ 91/439/EEC (adapted)

⇒ new

Category B:

- motor vehicles with a maximum authorised mass not exceeding 3500 kg and ~~having not more than eight seats in addition to the driver's seat~~ ⇒ transporting no more than 8 passengers in addition to the driver ⇐; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;

↓ 91/439/EEC (adapted)

~~combinations of a tractor vehicle in category B and a trailer, where the maximum authorised mass of the combination does not exceed 3 500 kilograms and the maximum authorised mass of the trailer does not exceed the unladen mass of the tractor vehicle;~~

↓ 91/439/EEC (adapted)

⇒ new

Category B + E:

- combination of vehicles consisting of a tractor vehicle in category B and a trailer where ⇒ the maximum authorised mass exceeds 750 kilograms ⇐ ~~and the combination does not come within category B;~~
-

↓ new

Category C 1:

- motor vehicles used for the transport of goods, the maximum authorised mass of which exceeds 3500 kg, but does not exceed 6000 kg, and transporting no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;

Category C 1 + E:

- combinations of vehicles where the tractor vehicle is in category C1 and its trailer or semi-trailer has a maximum authorised mass of over 750 kg, provided that the maximum authorised mass of the combination thus formed does not exceed 12 000 kg, and that the maximum authorised mass of the trailer or semi-trailer does not exceed the unladen mass of the tractor vehicle;
-

↓ 91/439/EEC (adapted)

⇒ new

Category C:

- motor vehicles used for the transport of goods, ~~other than those in category D,~~ whose maximum authorised mass is over 3 500 kilograms ⇒ and transporting no more than eight passengers in addition to the driver ⇐ ; motor vehicles ☒ which may be driven with a category C licence ☒ ~~in this category~~ may be combined with a trailer having a maximum authorised mass which does not exceed 750 kilograms ;

↓ 91/439/EEC
⇒ new

Category C + E:

- combinations of vehicles where the tractor vehicle is in category C and its trailer ⇒ or semi-trailer ⇐ has a maximum authorised mass of over 750 kilograms;

↓ new

Category D 1:

- motor vehicles used for the transport of passengers with a capacity to transport not more than 16 passengers in addition to the driver and with a maximum length not exceeding seven metres; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;

Category D 1 + E:

- combinations of vehicles where the tractor vehicle is in category D1 and its trailer has a maximum authorised mass of over than 750 kg, provided that that the maximum authorised mass of the combination thus formed does not exceed 12 000 kg, and that the maximum authorised mass of the trailer does not exceed the unladen mass of the tractor vehicle;

↓ 91/439/EEC (adapted)
⇒ new

Category D:

- motor vehicles used for the carriage of persons and ~~with~~ ⇒ transporting more than eight passengers in addition to the driver ⇐ ~~more than eight seats in addition to the driver's seat~~; motor vehicles ~~in this category~~ ⊗ which may be driven with a Category D licence ⊗ may be combined with a trailer having a maximum authorised mass which does not exceed 750 kilograms;

↓ 91/439/EEC

Category D + E:

- combinations of vehicles where the tractor vehicle is in category D and its trailer has a maximum authorised mass of over 750 kilograms.

↓ new

Trailers cannot be used for the transport of persons.

↓ 91/439/EEC (adapted)

~~2. Within categories A, B, B + E, C, C + E, D and D + E, a specific driving licence may be issued for the driving of vehicles in the following subcategories:~~

~~*Subcategory A 1:*~~

~~– light motorcycles with a cubic capacity not exceeding 125 cm³ and of a power not exceeding 11 kW;~~

~~*Subcategory B 1:*~~

~~– motor powered tricycles and quadricycles;~~

~~*Subcategory C 1:*~~

~~– motor vehicles other than in category D and whose maximum authorised mass is over 3 500 kilograms but not more than 7 500 kilograms; motor vehicles in this subcategory may be combined with a trailer having a maximum authorised mass which does not exceed 750 kilograms;~~

~~*Subcategory C 1 + E:*~~

~~– combinations of vehicles where the tractor vehicle is in subcategory C1 and its trailer has a maximum authorised mass of over 750 kilograms, provided that the maximum authorised mass of the combination thus formed does not exceed 12 000 kilograms, and that the maximum authorised mass of the trailer does not exceed the unladen mass of the tractor vehicle;~~

~~*Subcategory D 1:*~~

~~– motor vehicles used for the carriage of passengers and having more than eight seats in addition to the driver's seat but not more than 16 seats in addition to the driver's seat; motor vehicles in this subcategory may be combined with a trailer having a maximum authorised mass which does not exceed 750 kilograms;~~

~~*Subcategory D 1 + E:*~~

~~– combinations of vehicles where the tractor vehicle is in subcategory D1 and its trailer has a maximum authorised mass of over than 750 kilograms, provided that:~~

~~– firstly, the maximum authorised mass of the combination thus formed does not exceed 12 000 kilograms and the maximum authorised mass of the trailer does not exceed the unladen mass of the tractor vehicle;~~

~~– secondly, the trailer is not used for the transport of persons.~~

↓ 91/439/EEC (adapted)

2 3. For the purpose of this Directive:

- (a) «Power-driven vehicle» means any self-propelled vehicle running on a road under its own power, other than a rail-borne vehicle;

↓ new

- b) The term «moped» does not include light quadricycles or cycles with pedal assistance;
- c) «Tricycle» means a vehicle with three symmetrical wheels and an engine with a cubic capacity in excess of 50 c.c. in the case of an internal combustion engine and/or the maximum design speed of which is in excess of 45 km/h ;
- d) «Quadricycle» means a vehicle other than a light quadricycle the unladen mass of which is no more than 400 kg (550 kg for vehicles used for the transport of goods), disregarding the battery mass in the case of an electric vehicle, where the net maximum power of the engine does not exceed 15 kW ;

↓ 91/439/EEC (adapted)

→₁ 97/26/EC Art. 1, pt. 1

~~«Tricycle» and «quadricycle» mean respectively any three and four wheeled vehicle in category B with a maximum design speed of over 45 km/h or powered by a spark-ignition internal combustion engine with a cubic capacity of more than 50 cm³ or any other engine of equivalent power. The unladen mass shall not exceed 550 kilograms. The unladen mass of electrically propelled vehicles shall not take account of the battery mass.~~

~~Member States may set lesser standards regarding the unladen mass and add others, such as the maximum cubic capacity or power;~~

↓ new

- (e) «Motorcycle» means any two-wheel vehicle having a maximum design speed of more than 45 km/h, or if it is fitted with an internal combustion engine having a cubic capacity of more than 50 cm³. The sidecar is assimilated to this type of vehicle;

↓ 97/26/EC Art. 1, pt. 1 (adapted)

~~«Motorcycle» means any two wheel vehicle with or without sidecar, fitted with an engine having a cylinder capacity of more than 50 cm³ if of the internal combustion type and/or having a maximum design speed of more than 45 km/h;~~

↓ 91/439/EEC (adapted)

- ☒(f) ☒- «Motor vehicle» means any power-driven vehicle, other than a motorcycle, which is normally used for carrying persons or goods by road or for drawing, on the road, vehicles used for the carriage of persons or goods. This term shall include trolleybuses, i.e. vehicles connected to an electric conductor and not rail-borne. It shall not include agricultural or forestry tractors;
- ☒ (g) ☒- «Agricultural or forestry tractor» means any power-driven vehicle running on wheels or tracks, having at least two axles, the principal function of which lies in its tractive power, which is specially designed to pull, push, carry or operate certain tools, machines or trailers used in connection with agricultural or forestry operations, and the use of which for carrying persons or goods by road or drawing, on the road, vehicles used for the carriage of persons or goods is only a secondary function.

↓ new

3. Category B1 shall be optional.

↓ 91/439/EEC (adapted)

~~4. Member States may, after consulting the Commission, derogate, provided that this is mentioned in the driving licence, from the speeds indicated in the second and third indents of paragraph 3, provided that they stipulate lower speeds.~~

~~5. For subcategory A1, Member States may impose additional restrictive rules.~~

☒ 4. ☒ ~~6.~~ With the agreement of the Commission, Member States may exclude from the application of this Article certain specific types of power-driven vehicle such as special vehicles for the disabled.

↓ 91/439/EEC Art. 4 (adapted)

Article 5

☒ Conditions - Restrictions ☒

↓ 91/439/EEC

1. Driving licences shall state the conditions under which the driver is authorised to drive.

2. If, because of a physical disability, driving is authorised only for certain types of vehicle or for adapted vehicles, the test of skills and behaviour provided for in Article 7 shall be taken in such a vehicle.

↓ 91/439/ EEC Art. 5 (adapted)

Article 6

⊗ *Equivalences between categories* ⊗

↓ 91/439/ EEC

1. The issue of driving licences shall be subject to the following conditions:
- (a) licences for categories C and D shall be issued only to drivers already entitled to drive vehicles in category B;
 - (b) licences for categories B + E, C + E, D + E shall be issued only to drivers already entitled to drive vehicles in categories B, C and D respectively.
2. The validity of driving licences shall be determined as follows:
- (a) licences for categories B + E, C + E, D + E shall be issued only to drivers already entitled to drive vehicles in categories B, C and D respectively;
 - (b) licences for categories B + E, C + E, D + E shall be issued only to drivers already entitled to drive vehicles in categories B, C and D respectively.

↓ new

- (c) licences for categories C1 or C1+E shall be validated for driving category D1 or D1+E vehicles respectively if the holder is at least 21 years old;
- (d) licences for categories D1 or D1+E shall be validated for driving category C1 or C1+E vehicles respectively.

↓ 91/439/EEC (adapted)
⇒ new

3. For driving on their territory, Member States may grant the following equivalences:
- (a) power-driven tricycles and quadricycles under a licence for category A or A1;
 - (b) light motorcycles under a licence for category B..

4. Member States may, after consulting the Commission, authorise the driving on their territory of:

- (a) vehicles of category D1 (~~maximum 16 seats in addition to the driver's seat~~ ⇒ with ⇐ a maximum authorised mass of 3 500 kilograms, excluding any specialised equipment intended for the carriage of disabled passengers) by holders over 21 years old of a driving licence for category B which was obtained at least two years before provided that the vehicles are being used by non-commercial bodies for social purposes and that the driver provides his services on a voluntary;
- (b) vehicles of a maximum authorised mass exceeding 3 500 kilograms by holders over 21 years old of a driving licence for category B which was obtained at least two years before, provided that the main purpose of the vehicles is to be used only when stationary as an instructional or recreational area, and that they are being used by non-commercial bodies for social purposes and that vehicles have been modified so that they may not be used either for the transport of more than nine persons or for the transport of any goods other than those strictly necessary for their purposes.

↓ 91/439/EEC Art. 6 (adapted)

Article 7

⊠ *Minimum age* ⊠

↓ 91/439/EEC

1. The minimum age conditions for the issue of driving licences shall be as follows:

a) 16 years:

↓ new

– for category AM;

↓ 91/439/EEC (adapted)

– for subcategory A 1;

– pour la subcategory B 1;

↓ 91/439/EEC

b) 18 years:

↓ 91/439/EEC (adapted)
⇒ new

- for category A ⇒ 2 ⇐ ; ~~however, access to the driving of motorcycles with a power exceeding 25 kW or a power/weight ratio exceeding 0,16 kW/kg (or motorcycles with sidecars with a power/weight ratio exceeding 0,16 kW/kg) shall be subject to a minimum of two years' experience on motorcycles with lower specifications under an A licence; this requirement as to previous experience may be waived if the candidate is at least 21 years old, subject to the candidate's passing a specific test of skills and behaviour~~

↓ 91/439/EEC

- for categories B, B + E;

↓ 91/439/EEC (adapted)

~~for categories C, C + E and subcategories C1, C1 + E, without prejudice to the provisions for the driving of such vehicles in Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport²⁷;~~

↓ new (adapted)

- for categories C1 and C1+E, without prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC of the European Parliament and of the Council²⁸;

↓ 91/439/EEC

- c) 21 years:

↓ 91/439/EEC (adapted)

~~for categories D and D + E and subcategories D1, D1 + E, without prejudice to the provisions for the driving of such vehicles in Regulation (EEC) No 3820/85~~

²⁷ OJ L 370, 31.12.1985, p. 1.

²⁸ OJ L 226, 10.9.2003, p. 4.

↓ new (adapted)

- for category A, provided that the applicant has acquired at least three years of driving experience on a motorcycle of category A2 and has passed a specific practical test for category A as defined in Article 8(1) (d);
- for categories C, C+E, D1 and D1+E, without prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC of the European Parliament and of the Council;

(d) 24 years:

- for category A;
- for categories D and D+E, without prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC;

↓ 91/439/EEC (adapted)

⇒ new

2. Member States may derogate from the minimum age requirements laid down for categories A, B and B + E and issue such driving licences for such categories from the age of 17 years, ~~except in the case of the provisions for category A laid down in the last sentence of the first indent of paragraph 1 (b).~~ ⇒ and for category B1 and issue this category only from the age of 18. Member States may refuse to recognise the validity on their territory of a driving licence for categories B and B1 if the holder is under 18 years of age ⇐.

↓ new

Member States may derogate from the minimum age requirements laid down for category AM and issue this category from the age of 14 ans. Member States may refuse to recognise the validity on their territory of a driving licence for category AM if the holder is under 16 years of age.

↓ 91/439/EEC (adapted)

~~3. Member States may refuse to recognise the validity in their territory of driving licences issued to drivers under 18 years of age~~

↓ 91/439/EEC Art. 7 (adapted)

Article 8

⊗ Issue – Validity - Renewal ⊗

1. Driving licences shall, ~~moreover,~~ be issued only to those applicants:

↓ 91/439/EEC

- (a) who have passed a test of skills and behaviour and a theoretical test and who meet medical standards, in accordance with the provisions of Annexes II and III;

↓ new

- (b) who have passed a knowledge test only as regards category AM; Member States may require applicants to pass a test of skills and behaviour, as well as a medical examination in the case of category AM driving licences issued by them;
- (c) who have passed a test of skills and behaviour only in the case of an applicant for a category A2 driving licence who has acquired at least two years experience on a motorcycle covered by an A1 licence;
- (d) who have passed a test of skills and behaviour only in the case of an applicant for a category A driving licence who has acquired at least two years experience on a motorcycle covered by an A2 licence; this test may be restricted to driving in traffic, specifically focusing on traffic on roads outside built-up areas;

↓ 91/439/EEC (adapted)

- ⊗ (e) ⊗ ~~b~~) who have their normal residence in the territory of the Member State issuing the licence, or can produce evidence that they have been studying there for at least six months.

~~2. Without prejudice to provisions to be adopted by the Council in this regard, each Member State shall retain the right to determine, on the basis of national criteria, the period of validity of the driving licences which it issues.~~

~~3. Member States may, with the agreement of the Commission, derogate from the provisions of Annex III where such derogations are compatible with the development of medical science and with the principles laid down in that Annex.~~

↓ new

2. As from [date fixed in Article 17 (2)], licences issued by Member States for categories AM, A1, A2, A, B, B1 and B+E shall have an administrative validity of 10 years. Licences in those categories issued to drivers who are 65 years of age shall have a validity of 5 years. Member States may limit the period of validity of the first driving licence issued to novice drivers for categories A and B to 3 years in order to be able to apply specific measures to such drivers, so as to improve their road safety.

As from [date fixed in Article 17 (2)], licences issued by Member States for categories C, C+E, C1, C1+E, D, D+E, D1, D1+E shall have an administrative validity of 5 years. Licences in those categories issued to drivers who are 65 years of age shall have a validity of 1 year.

However, if a driving licence already issued before the entry into force of the Directive has to be renewed because it has expired, the different periods of validity indicated in the first and second subparagraphs shall apply to this renewal.

3. The renewal of driving licences when they expire shall be subject to:

(a) an examination based on the minimum standards of physical and mental aptitude for driving as set out in Annex III for driving licences in categories C, C+E, C1, C1+E, D, D+E, D1, D1+E ;

(b) normal residence in the territory of the Member State issuing the licence, or evidence that applicants have been studying there for at least six months.

Member States may, when renewing driving licences in categories A, A1, A2, B, B1 et B+E, require an examination applying the minimum standards of physical and mental aptitude for driving as set out in Annex III.

↓ 91/439/EEC

4. Without prejudice to national criminal and police laws, Member States may, after consulting the Commission, apply to the issue of driving licences the provisions of their national rules relating to conditions other than those referred to in this Directive.

↓ 91/439/EEC (adapted)

⇒ new

5. No person may hold more than one driving licence. ~~from more than one Member State.~~ ⇒ Member States shall take the necessary measures to ensure that an applicant for a first driving licence or for a renewed driving licence does not already hold a licence, whether it be valid or whether it has been suspended by the authorities in another Member State. They shall further ensure that the applicant is not the subject of an order by the authorities of any Member State, prohibiting the issuance to him of a driving licence. ⇐

↓ 97/26/CE Art. 1, pt. 2 (adapted)
⇒ new

Article ~~7a~~ ☒ 9

Committee ☒

~~1. A subdivision of the harmonised Community codes set out in Annexes I and Ia shall be defined in accordance with the procedure laid down in Article 7b, with particular reference to codes 04, 05, 44 and 55.~~

~~This procedure shall also be followed for deciding whether the use of certain subdivisions of harmonised Community codes should, if necessary, be made compulsory.~~

~~2. The amendments necessary to adapt the parts of Annexes I and Ia which concern the harmonised codes and Annexes ⇒ I to IV ⇐ II, and III to scientific and technical progress shall be adopted in accordance with the procedures laid down in Article ☒ 10 ☒ .~~

↓ 1882 Art. 3 and Ann. III pt 24
(adapted)

Article ~~7b~~ ☒ 10

Committee procedure ☒

↓ 1882 Art. 3 and Ann. III pt 24

1. The Commission shall be assisted by a committee on driving licences, hereinafter referred to as «the Committee».

2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC shall apply, in accordance with Article 8 thereof.

The period provided for in Article 5 (6) of Decision 1999/468/EC shall be 3 months.

3. The Committee shall adopt its own rules of procedure.

↓ new

Article 11

Examiners

From the entry into force of this Directive, driving licence examiners shall meet the minimum standards set out in Annex IV. Driving licence examiners already working in that capacity before the [date fixed in Article 17 (2)] need not gain the initial qualification under point 2 of that Annex.

↓ 91/439/EEC Art. 8 (adapted)

Article 12

⊗ *Various provisions concerning the recognition of driving licences* ⊗

↓ 91/439/EEC

1. Where the holder of a valid national driving licence issued by a Member State has taken up normal residence in another Member State, he may request that his driving licence be exchanged for an equivalent licence; it shall be for the Member State effecting the exchange to check, if necessary, whether the licence submitted is in fact still valid.
2. Subject to observance of the principle of territoriality of criminal and police laws, the Member States of normal residence may apply its national provisions on the restriction, suspension, withdrawal or cancellation of the right to drive to the holder of a driving licence issued by another Member State and, if necessary, exchange the licence for that purpose.
3. The Member State effecting the exchange shall return the old licence to the authorities of the Member State which issued it and give the reasons for so doing.
4. A Member State may refuse to recognise the validity of any driving licence issued by another Member State to a person who is, in the former State's territory, the subject of one of the measures referred to in paragraph 2.

A Member State may likewise refuse to issue a driving licence to an applicant who is the subject of such a measure in another Member State.

5. A replacement for a driving licence which has, for example, been lost or stolen may be obtained from the competent authorities of the State in which the holder has his normal residence; those authorities shall provide the replacement on the basis of the information in their possession or, where appropriate, proof from the competent authorities of the Member States which issued the original licence.

6. Such an exchange may occur only if the licence issued by the third country has been surrendered to the competent authorities of the Member State making the exchange. If the holder of this licence transfers his normal residence to another Member State, the latter need not apply Article 1 (2).
-

↓ 91/439/EEC (adapted)
⇒ new

Such an exchange may occur only if the licence issued by the third country has been surrendered to the competent authorities of the Member State making the exchange. If the holder of this licence transfers his normal residence to another Member State, the latter need not apply ⇒ the principle of mutual recognition set out in ⇐ Article ⊗ 2 ⊗ .

↓ 91/439/EEC Art. 9 (adapted)

Article 13

⊗ *Normal residence* ⊗

↓ 91/439/EEC

For the purpose of this Directive, «normal» residence means the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living.

However, the normal residence of a person whose occupational ties are in a different place from his personal ties and who consequently lives in turn in different places situated in two or more Member States shall be regarded as being the place of his personal ties, provided that such person returns there regularly. This last condition need not be met where the person is living in a Member State in order to carry out a task of a definite duration. Attendance at a university or school shall not imply transfer of normal residence.

↓ 91/439/EEC Art. 10 (adapted)

Article 14

⊗ *Equivalences between non-Community model licences* ⊗

↓ 91/439/EEC (adapted)

With the agreement of the Commission, Member States shall establish equivalences between the categories of licence issued before implementation of this Directive and those defined in Article ⊗ 4 ⊗ .

↓ 91/439/EEC (adapted)

⇒ new

⇒ After consulting ⊗ ~~With the agreement of~~ the Commission, Member States may make to their national legislation such adjustments as are necessary for the purpose of implementing the provisions of Article 12 (4), (5) and (6).

↓ 91/439/EEC Art. 11 (adapted)

⇒ new

Article 15

⊗ *Review* ⊗

~~Five years after this Directive has been put into effect, the~~The Council, ~~acting on a proposal from the Commission,~~ shall review ~~the national provisions concerning any optional subcategories which may have been established in accordance with Article 3, with a view to their possible harmonisation or elimination~~ ⇒ the Community provisions concerning the categories referred to in Article 4 and the minimum ages laid down in Article 7, and their impact on road safety, as well as the possible introduction of progressive access to category B, including category B1 by [5 years after the date fixed in Article 17 (2)], at the latest. ⊗

Article 16

⊠ *Cooperation between Member States* ⊠

~~1. After consulting the Commission, Member States shall, before 1 July 1994, adopt the laws, regulations or administrative provisions necessary to comply with this Directive as of 1 July 1996.~~

~~2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.~~

3. The Member States shall assist one another in the implementation of this Directive and shall ~~if need be,~~ exchange information on the licences they have ⇒ issued, exchanged or replaced ⇐ registered.



Article 17

Transposition

1. The Member States shall adopt and publish, no later than [*two years after the date fixed in Article 19*], the laws, regulations or administrative provisions necessary to comply with Article 1 (2), Article 3 (2), Article 4 (1) to (3), Article 6 (2), (c) and (d), Article 7, Article 8 (1) to (3) and (5), Article 11, Articles 16 to 20, and Annexes II, point 5.2 and IV. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.
2. They shall apply those provisions as from [*two years after the date fixed in Article 17(1)*].
3. When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. They shall also contain an indication that references made, in the laws, regulations or administrative provisions in force, to the directives repealed by this directive shall be understood as being made to this Directive. The manner in which such a reference is made, and its wording, shall be as laid down by the Member States.
4. Member States shall communicate to the Commission the text of the essential national provisions which they adopt in the field covered by this Directive.

Article 18

⊗ *Repeal* ⊗

Directive ~~80~~ ⊗ 91 ⊗ ~~1263~~ ⊗ 439 ⊗/EEC ⊗, as amended by the directives referred to in Annex V, Part A, ⊗ is repealed ~~as of 1 July 1996~~ with effect from [*two years after the date set in Article 17 (1)...*], without prejudice to the obligations of the Member States with regard to the time-limits ⊗ indicated in Annex V, Part B ⊗ for transposing ⊗ the Directive ⊗ into national law ~~the Directive indicated in Annex V, part B.~~



References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VI.

Article 19

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 1(1), Article 2, Article 3(1), Article 4(4), Article 5, Article 6(1), (2), (a) and (b), (3) and (4), Article 8(4), Article 9, Article 10, Articles 12 to 15 and Annexes I, II and III shall apply from [*two years after the date set in Article 19*].

Article 20

⊗ *Addressees* ⊗

This Directive is addressed to the Member States.

Done at Brussels, [...]

For the European Parliament

The President

[...]

For the Council

The President

[...]

↓ 91/439/EEC (adapted)

ANNEX I

PROVISIONS CONCERNING THE COMMUNITY MODEL DRIVING LICENCE

1. ~~The colour of the Community model driving licence shall be pink and its overall dimensions shall be:~~
 - ~~– height: 106 mm,~~
 - ~~– width: 222 mm.~~

2. ~~The licence shall consist of six pages.~~

~~Page 1 shall contain:~~

 - ~~– the distinguishing sign of the Member State issuing the licence;~~
 - ~~– mention of the name of the Member State issuing the licence (optional)~~

↓ Act of Accession of Austria, Sweden and Finland Art. 29 and Annex I, p. 166 (adapted)

~~the distinguishing sign of the Member State issuing the licence, whose signs shall be as follows:~~

~~B:~~ ~~Belgium~~

~~DK:~~ ~~Denmark~~

~~D:~~ ~~Germany~~

~~GR:~~ ~~Greece~~

~~E:~~ ~~Spain~~

~~F:~~ ~~France~~

IRL :	Ireland
I :	Italy
L :	Luxembourg
NL :	Netherlands
A :	Austria
P :	Portugal
F :	Finland
FIN :	Sweden
S :	United kingdom

↓ 91/439/EEC (adapted)

~~the words «Driving licence», printed in large type in the language or languages of the Member State issuing the licence; they shall appear, after a suitable space, in small type in the other languages of the European Communities;~~

~~the words «European Communities model», printed in the language or languages of the Member States issuing the licence~~

~~Page 2 shall contain:~~

- ~~1. the surname of the holder;~~
- ~~2. the other names of the holder;~~
- ~~3. the date and place of birth of the holder;~~
- ~~4. the name of the competent authority issuing the licence (including the place and date of issue and the stamp of the authority);~~
- ~~5. the number of the licence;~~

- ~~6. a photograph of the holder;~~
- ~~7. the signature of the holder;~~
- ~~8. the permanent place of residence, or postal address (optional);~~

~~Pages 3 and 4 shall contain the (sub)categories of vehicle, the date of issue of the licence for the (sub)category, its period of validity, the stamp of the authority, any additional information or restrictions in code form for each (sub)category concerned.~~

~~Subcategories not provided for in the national legislation of a Member State may be omitted from driving licences issued by that Member State.~~

~~The codes used on page 4 shall be as follows:~~

↓ 2000/56/CE Art.1, pt. 1 and
Annex I (adapted)

~~— codes 01 to 99 : harmonised Community codes~~

~~DRIVER (Medical reasons)~~

~~01. Sight correction and/or protection~~

~~01.01 Glasses~~

~~01.02 Contact lense(s)~~

~~01.03 Protective glass~~

~~01.04 Opaque lense~~

~~01.05 Eye cover~~

~~01.06 Glasses or contact lenses~~

~~02. Hearing aid/communication aid~~

~~02.01 Hearing aid for one ear~~

~~02.02 Hearing aid for two ears~~

~~03. Prosthesis/orthosis for the limbs~~

~~03.01 Upper limb prosthesis/orthosis~~

~~03.02 Lower limb prosthesis/orthosis~~

~~05. Limited use (subcode use obligatory, driving subject to restrictions for medical reasons)~~

~~05.01 Limited to day time journeys (for example: one hour after sunrise and one hour before sunset)~~

~~05.02 Limited to journeys within a radius of... km from holder's place of residence or only inside city/region...~~

~~05.03 Driving without passengers~~

~~05.04 Limited to journeys with a speed not greater than... km/h~~

~~05.05 Driving authorised solely when accompanied by a holder of a driving licence~~

~~05.06 Without trailer~~

~~05.07 No driving on motorways~~

~~05.08 No alcohol~~

~~VEHICLE ADAPTATIONS~~

~~10. Modified transmission~~

~~10.01 Manual transmission~~

~~10.02 Automatic transmission~~

~~10.03 Electronically operated transmission~~

~~10.04 Adjusted gear shift lever~~

~~10.05 Without secondary gearbox~~

~~15. Modified clutch~~

~~15.01 Adjusted clutch pedal~~

~~15.02 Manual clutch~~

~~15.03 Automatic clutch~~

~~15.04 Partitioning in front of/fold away/detached clutch pedal~~

~~20. Modifies braking systems~~

~~20.01 Adjusted brake pedal~~

~~20.02 Enlarged brake pedal~~

~~20.03 Brake pedal suitable for use by left foot~~

~~20.04 Brake pedal by sole~~

- ~~20.05 Tilted brake pedal~~
- ~~20.06 Manual (adapted) service brake~~
- ~~20.07 Maximum use of reinforced service brake~~
- ~~20.08 Maximum use of emergency brake integrated in the service brake~~
- ~~20.09 Adjusted parking brake~~
- ~~20.10 Electrically operated parking brake~~
- ~~20.11 (Adjusted) foot operated parking brake~~
- ~~20.12 Partitioning in front of/fold away/detached brake pedal~~
- ~~20.13 Brake operated by knee~~
- ~~20.14 Electrically operated service brake~~
- ~~25. Modified accelerator systems~~
 - ~~25.01 Adjusted accelerator pedal~~
 - ~~25.02 Accelerator pedal by sole~~
 - ~~25.03 Tilted accelerator pedal~~
 - ~~25.04 Manual accelerator~~
 - ~~25.05 Accelerator at knee~~
 - ~~25.06 Servo accelerator (electronic, pneumatic, etc.)~~
 - ~~25.07 Accelerator pedal on the left of brake pedal~~
 - ~~25.08 Accelerator pedal on the left~~
 - ~~25.09 Partitioning in front of/fold away/detached accelerator pedal~~
- ~~30. Modified combined braking and accelerator systems~~
 - ~~30.01 Parallel pedals~~
 - ~~30.02 Pedals at (or almost at) the same level~~
 - ~~30.03 Accelerator and brake with sliding~~
 - ~~30.04 Accelerator and brake with sliding and orthesis~~
 - ~~30.05 Fold away/detached accelerator and brake pedals~~
 - ~~30.06 Raised floor~~

~~30.07 Partitioning on the side of the brake pedal~~

~~30.08 Partitioning for prosthesis on the side of the brake pedal~~

~~30.09 Partitioning in front of the accelerator and brake pedals~~

~~30.10 Heel/leg support~~

~~30.11 Electrically operated accelerator and brake~~

~~35. Modified control layouts~~

~~(Lights switches, windscreen wiper/washer, horn, direction indicators, etc.)~~

~~35.01 Control devices operable without negative influence on the steering and handling~~

~~35.02 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.)~~

~~35.03 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) with the left hand~~

~~35.04 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) with the right hand~~

~~35.05 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) and the combined accelerator and braking mechanisms~~

~~40. Modified steering~~

~~40.01 Standard assisted steering~~

~~40.02 Reinforced assisted steering~~

~~40.03 Steering with backup system~~

~~40.04 Lengthened steering column~~

~~40.05 Adjusted steering wheel (Larger and/or thicker steering wheel section, reduced diameter steering wheel, etc.)~~

~~40.06 Tilted steering wheel~~

~~40.07 Vertical steering wheel~~

~~40.08 Horizontal steering wheel~~

~~40.09 Foot operated driving~~

- ~~40.10 Alternative adjusted steering (joy stick, etc.)~~
- ~~40.11 Knob on the steering wheel~~
- ~~40.12 Hand orthesis on the steering wheel~~
- ~~40.13 With orthesis tenodeses~~
- ~~42.01 External (left or) right side rear view mirror~~
- ~~42.02 External rear view mirror set on the wing~~
- ~~42.03 Additional inside rear view mirror permitting view of traffic~~
- ~~42.04 Panoramic inside rear view mirror~~
- ~~42.05 Blind spot rear view mirror~~
- ~~42.06 Electrically operated outside rear view mirror(s)~~
- ~~43. Modified driver seat~~
 - ~~43.01 Driver seat at a good viewing height and in normal distance from the steering wheel and the pedal~~
 - ~~43.02 Driver seat adjusted to body shape~~
 - ~~43.03 Driver seat with lateral support for good sitting stability~~
 - ~~43.04 Driver seat with armrest~~
 - ~~43.05 Lengthening of sliding driver's seat~~
 - ~~43.06 Seat belt adjustment~~
 - ~~43.07 Harness type seat belt~~
- ~~44. Modifications to motorcycles (subcode use obligatory)~~
 - ~~44.01 Single operated brake~~
 - ~~44.02 (Adjusted) hand operated brake (front wheel)~~
 - ~~44.03 (Adjusted) foot operated brake (back wheel)~~
 - ~~44.04 (Adjusted) accelerator handle~~
 - ~~44.05 (Adjusted) manual transmission and manual clutch~~
 - ~~44.06 (Adjusted) rear view mirror(s)~~
 - ~~44.07 (Adjusted) commands (direction indicators, braking light,...)~~

~~44.08 Seat height allowing the driver, in sitting position, to have two feet on the road at the same time~~

~~45. Motoreycle with side car only~~

~~50. Restricted to a specific vehicle/chassis number (vehicle identification number, VIN)~~

~~51. Restricted to a specific vehicle/registration plate (vehicle registration number, VRN)~~

~~ADMINISTRATIVE MATTERS~~

~~70. Exchange of licence No... issued by... (EU/UN distinguishing sign in the case of a third country; e.g.: 70.0123456789.NL)~~

~~71. Duplicate of licence No... (EU/UN distinguishing sign in the case of a third country; e.g.: 71.987654321.HR)~~

~~72. Restricted to category A vehicles having a maximum cylinder capacity of 125 cc and maximum power of 11 KW (A1)~~

~~73. Restricted to category B vehicles of the motor tricycle or quadricycle type (B1)~~

~~74. Restricted to category C vehicles the maximum authorised mass of which does not exceed 7 500 kg (C1)~~

~~75. Restricted to category D vehicles with not more than 16 seats, excluding the driver's seat (D1)~~

~~76. Restricted to category C vehicles the maximum authorised mass of which does not exceed 7 500 kg (C1), attached to a trailer the maximum authorised mass of which exceeds 750 kg, provided that the maximum authorised mass of the vehicle train thus formed does not exceed 12 000 kg, and that the maximum authorised mass of the trailer does not exceed the unladen mass of the drawing vehicle (C1+E)~~

~~77. Restricted to category D vehicles with not more than 16 passenger seats, excluding the driver's seat (D1), attached to a trailer the maximum authorised mass of which exceeds 750 kg provided that (a) the maximum authorised mass of the vehicle train thus formed does not exceed 12 000 kg and the maximum authorised mass of the trailer does not exceed the unladen mass of the drawing vehicle and (b) the trailer is not used to carry passengers (D1+E)~~

~~78. Restricted to vehicles with automatic transmission~~

~~(Directive 91/439/EEC, Annex II, 8.1.1., §2)~~

~~79. (...) Restricted to vehicles which comply with the specifications indicated in brackets, in the context of the application of Article 10(1) of the Directive~~

~~90.01: to the left~~

~~90.02: to the right~~

~~90.03: left~~

~~90.04: right~~

~~90.05: hand~~

~~90.06: foot~~

~~90.07: usable~~

~~2003/59/EC Art.10.2 (adapted)~~

~~95. Driver holding CPA meeting the obligation of professional aptitude provided for in Directive 2003/59/CE until ... (eg : 95.01.01.2012)~~

~~96/47/Ec (adapted)~~

~~codes 100 and above: national codes valid only for driving in the territory of the State which issued the licence.~~

~~The date of first issue of the licence for each category must be transferred to page 3 in the event of subsequent replacement or exchange.~~

~~Page 5 may contain information such as:~~

~~any periods during which the driving licence has been suspended;~~

~~serious offences committed in the territory of the State of normal residence and taken into account in the procedure for monitoring drivers which obtains in that State.~~

~~Page 6 shall contain:~~

~~validations restricted to the territory of the State which granted them on grounds of equivalents or for categories of vehicles not covered by this Directive (including dates of issue and periods of validity);~~

~~spaces reserved for (optional) entry of changes in the holder's normal residence.~~

~~3. The entries on pages other than page 1 shall be in the language(s) of the Member States which issued the licence.~~

↓ Act of Accession of Austria, Sweden and Finland Art. 29 and Annex I, p. 166 (adapted)

~~If a Member State wishes to make those entries in a national language other than one of the following languages: Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish, it will draw up a bilingual version of the licence using one of the aforementioned languages, without prejudice to the other provisions of this Annex.~~

↓ 91/439/EEC (adapted)

~~4. Where the holder of a driving licence issued by a Member State has taken up normal residence in another Member State, the latter may indicate:~~

- ~~– change(s) of residence on page 6,~~
- ~~– information essential for administrative purposes such as serious offences committed in its territory, on page 5,~~

~~provided that it also enters this type of information in the licences which it issues and that there is a space available for that purpose.~~

~~By way of derogation from point 2 of this Annex, driving licences issued by the United Kingdom shall not be required to include a photograph of the holder for a maximum period of ten years following the adoption of this Directive.~~

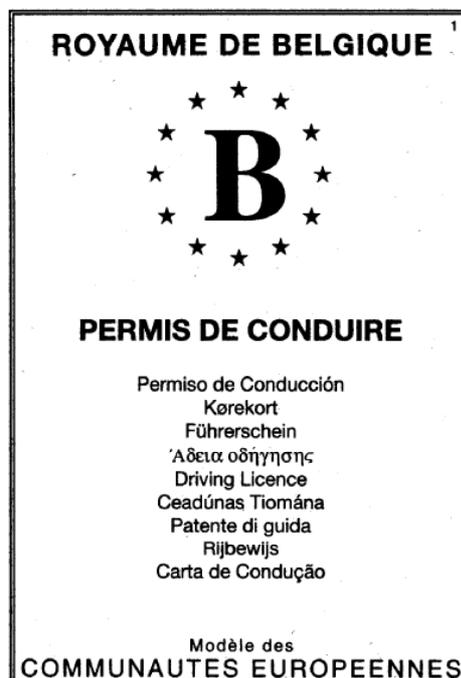
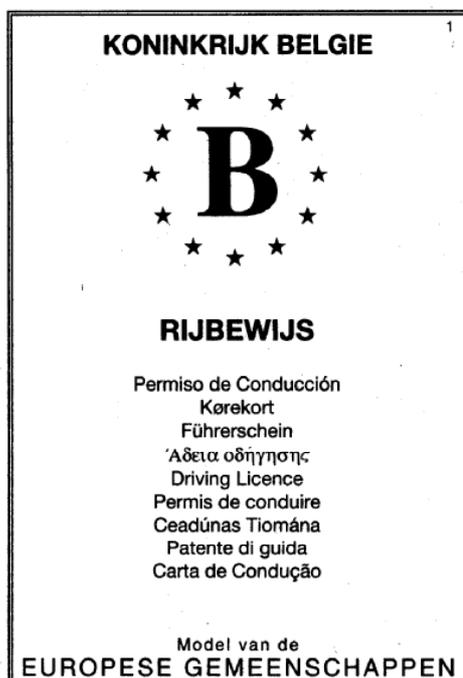
MODEL COMMUNITY DRIVING LICENCE

<p style="font-size: small;">CATEGORIES DE VEHICULES POUR LESQUELLES LE PERMIS EST VALABLE EN CIRCULATION NATIONALE</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th style="width: 10%;">CAT</th> <th style="width: 10%;">DU</th> <th style="width: 10%;">AU</th> <th style="width: 10%;">MENTIONS</th> <th style="width: 10%;">TIMBRE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p style="font-size: small; margin-top: 5px;">CHANGEMENT DE RESIDENCE</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	CAT	DU	AU	MENTIONS	TIMBRE																					<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>ÉTAT MEMBRE</p> </div> <div style="width: 40%; text-align: center;"> <p>PERMIS DE CONDUIRE</p> <p style="font-size: x-small;"> Permisso de Conducção Kärtekort Führerschein Ajkirta oáimymas Driving Licence Ceodnias Thomlra Patente al guida Rjbeerija Carta de Conducção </p> </div> <div style="width: 30%; text-align: right;"> <p style="font-size: x-small;">Modèle des COMMUNAUTÉS EUROPÉENNES</p> </div> </div>
CAT	DU	AU	MENTIONS	TIMBRE																						

106 mm
222 mm

~~SPECIMEN COMMUNITY DRIVING LICENCE: BELGIAN LICENCE~~

~~(for information)~~



UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

******* UK *******

DRIVING LICENCE

Model of the
EUROPEAN COMMUNITIES

ANNEX I#

PROVISIONS CONCERNING THE COMMUNITY MODEL DRIVING LICENCE

~~(Alternative to the model in Annex I)~~

1. The physical characteristics of the card of the Community model driving licence shall be in accordance with ISO 7810 and ISO 7816-1.

Methods for testing the characteristics of driving licences for the purpose of confirming their compliance with the international standards shall be in accordance with ISO 10373.

2. The licence shall have two sides.

Page 1 shall contain:

- a) the words «Driving Licence» printed in large type in the language or languages of the Member State issuing the licence;
- b) the name of the Member State issuing the licence (optional);
- c) the distinguishing sign of the Member State issuing the licence, printed in negative in a blue rectangle and encircled by twelve yellow stars; the distinguishing signs shall be as follows:

Belgium

B :

Denmark

DK :

Germany

D :

Greece

GR :

Spain

E :

France

F :

IRL : Ireland
I : Italy
L : Luxembourg
The Netherlands
NL :
Austria
A :
Portugal
P :
Finland
FIN :
Sweden
S :
UK : The United Kingdom;

d) information specific to the licence issued, numbered as follows:

1. surname of the holder;
2. other name(s) of the holder;
3. date and place of birth;
4. (a) date of issue of the licence;
(b) date of expiry of the licence, or a dash if the licence is valid indefinitely;
(c) the name of the issuing authority (may be printed on page 2);
(d) a different number from the one under heading 5, for administrative purposes (optional);
5. number of the licence;
6. photograph of the holder;
7. signature of the holder;
8. permanent place of residence, or postal address (optional);

9. (sub)category(ies) of vehicle(s) the holder is entitled to drive (national categories shall be printed in a different type from harmonised categories);
- e) the words «European Communities model» in the language(s) of the Member State issuing the licence and the words «Driving Licence» in the other languages of the Community, printed in pink to form the background of the licence:

Permiso de Conducción

Kørekort

Führerschein

Άδεια Οδήγησης

Driving Licence

Ajokortti

Permis de conduire

Ceadúas Tiomána

Patente di guida

Rijbewijs

Carta de Condução

Körkort;

- f) Colour references:
- blue: Pantone Reflex Blue,
 - yellow: Pantone Yellow.

Page 2 shall contain:

- a) 9. (sub)category(ies) of vehicle(s) the holder is entitled to drive (national categories shall be printed in a different type from harmonised categories);
10. date of first issue of each (sub)category (this date must be repeated on the new licence in the event of subsequent replacement or exchange);
11. date of expiry of each (sub)category;
12. additional information/restriction(s), in code form, facing the (sub)category affected.

The codes shall be as follows:

↓ 2000/56/CE Art.1, pt. 1 et
Annex I

– codes 01 to 99 : harmonised Community codes

DRIVER (Medical reasons)

01. Sight correction and/or protection

01.01 Glasses

01.02 Contact lense(s)

01.03 Protective glass

01.04 Opaque lense

01.05 Eye cover

01.06 Glasses or contact lenses

02. Hearing aid/communication aid

02.01 Hearing aid for one ear

02.02 Hearing aid for two ears

03. Prosthesis/orthosis for the limbs

03.01 Upper limb prosthesis/orthosis

03.02 Lower limb prosthesis/orthosis

05. Limited use (subcode use obligatory, driving subject to restrictions for medical reasons)

05.01 Limited to day time journeys (for example: one hour after sunrise and one hour before sunset)

05.02 Limited to journeys within a radius of... km from holder's place of residence or only inside city/region...

05.03 Driving without passengers

05.04 Limited to journeys with a speed not greater than... km/h

05.05 Driving authorised solely when accompanied by a holder of a driving licence

05.06 Without trailer

05.07 No driving on motorways

05.08 No alcohol

VEHICLE ADAPTATIONS

10. Modified transmission

10.01 Manual transmission

10.02 Automatic transmission

10.03 Electronically operated transmission

10.04 Adjusted gear-shift lever

10.05 Without secondary gearbox

15. Modified clutch

15.01 Adjusted gear-shift lever

15.02 Manual clutch

15.03 Automatic clutch

15.04 Partitioning in front of/fold away/detached clutch pedal

20. Modified braking systems

20.01 Adjusted brake pedal

20.02 Enlarged brake pedal

20.03 Brake pedal suitable for use by left foot

20.04 Brake pedal by sole

20.05 Tilted brake pedal

20.06 Manual (adapted) service brake

20.07 Maximum use of reinforced service brake

20.08 Maximum use of emergency brake integrated in the service
brake

20.09 Adjusted parking brake

20.10 Electrically operated parking brake

20.11 (Adjusted) foot operated parking brake

20.12 Partitioning in front of/fold away/detached brake pedal

- 20.13 Brake operated by knee
- 20.14 Electrically operated service brake
- 25. Modified accelerator systems
 - 25.01 Adjusted accelerator pedal
 - 25.02 Accelerator pedal by sole
 - 25.03 Tilted accelerator pedal
 - 25.04 Manual accelerator
 - 25.05 Accelerator at knee
 - 25.06 Servo accelerator (electronic, pneumatic, etc.)
 - 25.07 Accelerator pedal on the left of brake pedal
 - 25.08 Accelerator pedal on the left
 - 25.09 Partitioning in front of/fold away/detached accelerator pedal
- 30. Modified combined braking and accelerator systems
 - 30.01 Parallel pedals
 - 30.02 Pedals at (or almost at) the same level
 - 30.03 Accelerator and brake with sliding
 - 30.04 Accelerator and brake with sliding and orthosis
 - 30.05 Fold away/detached accelerator and brake pedals
 - 30.06 Raised floor
 - 30.07 Partitioning on the side of the brake pedal
 - 30.08 Partitioning for prosthesis on the side of the brake pedal
 - 30.09 Partitioning in front of the accelerator and brake pedals
 - 30.10 Heel/leg support
 - 30.11 Electrically operated accelerator and brake
- 35. Modified control layouts
(Lights switches, windscreen wiper/washer, horn, direction indicators, etc.)

- 35.01 Control devices operable without negative influence on the steering and handling
- 35.02 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.)
- 35.03 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) with the left hand
- 35.04 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) with the right hand
- 35.05 Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) and the combined accelerator and braking mechanismss
- 40. Modified steering
 - 40.01 Standard assisted steering
 - 40.02 Reinforced assisted steering
 - 40.03 Steering with backup system
 - 40.04 Lengthened steering column
 - 40.05 Adjusted steering wheel (Larger and/or thicker steering wheel section, reduced diameter steering wheel, etc.)
 - 40.06 Tilted steering wheel
 - 40.07 Vertical steering wheel
 - 40.08 Horizontal steering wheel
 - 40.09 Foot operated driving
 - 40.10 Alternative adjusted steering (joy-stick, etc.)
 - 40.11 Knob on the steering wheel
 - 40.12 Hand orthosis on the steering wheel
 - 40.13 With orthosis tenodese
- 42. Modified rearview mirror(s)
 - 42.01 External (left or) right-side rear-view mirror
 - 42.02 External rear-view mirror set on the wing
 - 42.03 Additional inside rear-view mirror permitting view of traffic

- 42.04 Panoramic inside rear-view mirror
- 42.05 Blind spot rear-view mirror
- 42.06 Electrically operated outside rear-view mirror(s)
- 43. Modified driver seat
 - 43.01 Driver seat at a good viewing height and in normal distance from the steering wheel and the pedal
 - 43.02 Driver seat adjusted to body shape
 - 43.03 Driver seat with lateral support for good sitting stability
 - 43.04 Driver seat with armrest
 - 43.05 Lengthening of sliding driver's seat
 - 43.06 Seat-belt adjustment
 - 43.07 Harness-type seat-belt
- 44. Modifications to motorcycles (subcode use obligatory)
 - 44.01 Single operated brake
 - 44.02 (Adjusted) hand operated brake (front wheel)
 - 44.03 (Adjusted) foot operated brake (back wheel)
 - 44.04 (Adjusted) accelerator handle
 - 44.05 (Adjusted) manual transmission and manual clutch
 - 44.06 (Adjusted) rear-view mirror(s)
 - 44.07 (Adjusted) commands (direction indicators, braking light,...)
 - 44.08 Seat height allowing the driver, in sitting position, to have two feet on the road at the same time
- 45. Motorcycle with side-car only

50. Restricted to a specific vehicle/chassis number (vehicle identification number, VIN)

51. Restricted to a specific vehicle/registration plate (vehicle registration number, VRN)

ADMINISTRATIVE MATTERS

70. Exchange of licence No... issued by... (EU/UN distinguishing sign in the case of a third country; e.g: 70.0123456789.NL)

- 71. Duplicate of licence No... (EU/UN distinguishing sign in the case of a third country; e.g: 71.987654321.HR)
- 72. Restricted to category A vehicles having a maximum cylinder capacity of 125 cc and maximum power of 11 KW (A1)
- 73. Restricted to category B vehicles of the motor tricycle or quadricycle type (B1)
- 74. Restricted to category C vehicles the maximum authorised mass of which does not exceed 7 500 kg (C1)
- 75. Restricted to category D vehicles with not more than 16 seats, excluding the driver's seat (D1)
- 76. Restricted to category C vehicles the maximum authorised mass of which does not exceed 7 500 kg (C1), attached to a trailer the maximum authorised mass of which exceeds 750 kg, provided that the maximum authorised mass of the vehicle train thus formed does not exceed 12 000 kg, and that the maximum authorised mass of the trailer does not exceed the unladen mass of the drawing vehicle (C1+E)
- 77. Restricted to category D vehicles with not more than 16 passenger seats, excluding the driver's seat (D1), attached to a trailer the maximum authorised mass of which exceeds 750 kg provided that (a) the maximum authorised mass of the vehicle train thus formed does not exceed 12 000 kg and the maximum authorised mass of the trailer does not exceed the unladen mass of the drawing vehicle and (b) the trailer is not used to carry passengers (D1+E)

(Directive 91/439/EEC, Annex II, point 5.1)

78. Restricted to vehicles with automatic transmission

(Directive 91/439/EEC, Annex II, 8.1.1., §2)

79. (...) Restricted to vehicles which comply with the specifications indicated in brackets, in the context of the application of Article 10(1) of the Directive

- 90.01: to the left
- 90.02: to the right
- 90.03: left
- 90.04: right
- 90.05: hand
- 90.06: foot

↓ 2003/59/EC Art.10.2 (adapted)

95. Driver holding CPA meeting the obligation of professional aptitude provided for in Article 3 ~~by~~ by Directive 2003/59/EC ~~until ...~~ until ... [e.g. : 1.1.2012]

↓ 96/47/CE (adapted)

- codes 100 and above : national codes valid only for driving in the territory of the Member State which issued the licence.

Where a code applies to all ~~(sub)~~ categories for which the licence is issued, it may be printed under columns 9, 10 and 11;

13. in implementation of paragraph 3 (a) of this Annex, a space reserved for the possible entry by the host Member State of information essential for administering the licence;
14. a space reserved for the possible entry by the Member State which issues the licence of information essential for administering the licence or related to road safety (optional). If the information relates to one of the headings defined in this Annex, it should be preceded by the number of the heading in question.

With the specific written agreement of the holder, information which is not related to the administration of the driving licence or road safety may also be added in this space; such addition shall not alter in any way the use of the model as a driving licence;

- b) an explanation of the numbered items which appear on pages 1 and 2 of the licence (at least items 1, 2, 3, 4 (a), 4 (b), 4 (c), 5, 10, 11 and 12)

If a Member State wishes to make the entries in a national language other than one of the following languages: Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish or Swedish, it shall draw up a bilingual version of the licence using one of the aforementioned languages, without prejudice to the other provisions of this Annex;

- c) a space shall be reserved on the Community model licence to allow for the possible introduction of a microchip or similar computer device.

3. Special provisions

- a) Where the holder of a driving licence issued by a Member State in accordance with this Annex has his normal place of residence in another Member State, that Member State may enter in the licence such information as is essential for

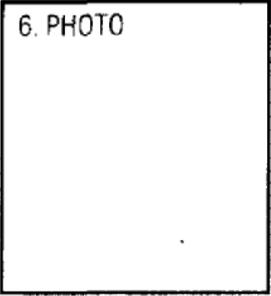
administering it, provided that it also enters this type of information in the licences which it issues and provided that there remains enough space for the purpose.

- b) After consulting the Commission, Member States may add colours or markings, such as bar codes, national symbols and security features, without prejudice to the other provisions of this Annex.

In the context of mutual recognition of licences, the bar code may not contain information other than what can already be read on the driving licence or which is essential to the process of issuing the licence.

COMMUNITY MODEL DRIVING LICENCE

Page 1 DRIVING LICENCE [MEMBER STATE]

	PERMIS DE CONDUIRE	ÉTAT MEMBRE
 <p>6. PHOTO</p>	1.	
	2.	
	3.	
	4a.	4c.
	4b.	4d.
	5.	
	7.	
	(8.)	
	9.	

Page 2 1. Name 2. First name 3. Date and place of birth 4a. Date of issue of driving licence 4b. Official date of expiry 4c. Issued by 5. Serial number of licence 8. Place of residence 9. Category 10. Date of issue, by category 11. Date of expiry, by category 12. Restrictions

<table border="1" style="width: 100%;"> <tr> <td style="width: 50px; height: 40px;">13.</td> </tr> <tr> <td style="width: 50px; height: 40px;">(14.)</td> </tr> </table> <p>1. Nom 2. Prénom 3. Date et lieu de naissance 4a. Date de délivrance du permis de conduire 4b. Date d'échéance administrative 4c. Délivré par 5. Numéro de permis 8. Domicile 9. Catégorie 10. Date de délivrance par catégorie 11. Date d'échéance par catégorie 12. Restrictions</p>	13.	(14.)	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 25%;">9.</th> <th style="width: 25%;">10.</th> <th style="width: 25%;">11.</th> <th style="width: 10%;">12.</th> </tr> </thead> <tbody> <tr> <td>A1 </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>A </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>B1 </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>B </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>C1 </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>C </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>D1 </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>D </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>BE </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>C1E </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>CE </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>D1E </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DE </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="5" style="height: 30px;"></td> </tr> </tbody> </table>		9.	10.	11.	12.	A1 					A 					B1 					B 					C1 					C 					D1 					D 					BE 					C1E 					CE 					D1E 					DE 									
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SPECIMEN MODEL LICENCE

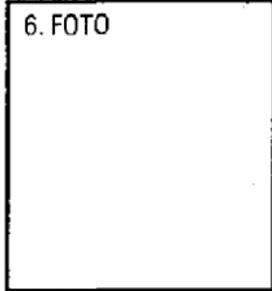
BELGIAN LICENCE (for information)



RIJBEWIJS

KONINKRIJK BELGIE

6. FOTO



1. Steven
2. Anne-Marie M.E.
3. 01.04.73 D-53170 Bonn
- 4a. 01.07.96 4c. B-9000 Gent
- 4b. **30.06.06**
5. DA 003 360
- 7.

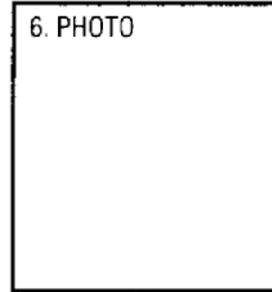
AM Steuer

9. **A** **B**



PERMIS DE CONDUIRE ROYAUME DE BELGIQUE

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M Quentin

9. **A** **B**

↓ 2000/56/EC Art.1, pt. 2

ANNEX II

MINIMUM REQUIREMENTS FOR DRIVING TESTS

Member States shall take the necessary measures to ensure that applicants for driving licences possess the knowledge and skills and exhibit the behaviour required for driving a motor vehicle. The tests introduced to this effect must consist of:

- a theory test, and then
- a test of skills and behaviour.

The conditions under which these tests shall be conducted are set out below.

A. THEORY TEST

1. Form

The form chosen shall be such as to make sure that the applicant has the required knowledge of the subjects listed on points 2 to 4.

Any applicant for a licence in one category who has passed a theory test for a licence in a different category may be exempt from the common provisions of points 2 to 4.

2. Content of the theory test concerning all vehicle categories

2.1. Questions must be asked on each of the points listed below, the content and form of the questions being left to the discretion of each Member State:

2.1.1. Road traffic regulations:

- in particular as regards road signs, markings and signals, rights of way and speed limits;

2.1.2. The driver:

- importance of alertness and of attitude to other road users,
- perception, judgement and decision-taking, especially reaction time, as well as changes in driving behaviour due to the influence of alcohol, drugs and medicinal products, state of mind and fatigue;

2.1.3. The road:

- the most important principles concerning the observance of a safe distance between vehicles, braking distances and roadholding under various weather and road conditions,
- driving risk factors related to various road conditions, in particular as they change with the weather and the time of day or night,
- characteristics of various types of road and the related statutory requirements;

2.1.4. Other road users:

- specific risk factors related to the lack of experience of other road users and the most vulnerable categories of users such as children, pedestrians, cyclists and people whose mobility is reduced,
- risks involved in the movement and driving of various types of vehicles and of the different fields of view of their drivers;

2.1.5. General rules and regulations and other matters:

- rules concerning the administrative documents required for the use of vehicles,
- general rules specifying how the driver must behave in the event of an accident (setting warning devices and raising the alarm) and the measures which he can take to assist road accident victims where necessary,
- safety factors relating to the vehicle, the load and persons carried;

2.1.6. Precautions necessary when alighting from the vehicle;

2.1.7. Mechanical aspects with a bearing on road safety; applicants must be able to detect the most common faults, in particular in the steering, suspension and braking systems, tyres, lights and direction indicators, reflectors, rear-view mirrors, windscreen and wipers, the exhaust system, seat-belts and the audible warning device;

2.1.8. Vehicle safety equipment and, in particular, the use of seat-belts, head restraints and child safety equipment;

2.1.9. Rules regarding vehicle use in relation to the environment (appropriate use of audible warning devices, moderate fuel consumption, limitation of pollutant emissions, etc.).

3. Specific provisions concerning categories A and A1

3.1. Compulsory check of general knowledge on:

3.1.1. Use of protective outfit such as gloves, boots, clothes and safety helmet;

3.1.2. Visibility of motorcycle riders for other road users;

3.1.3. Risk factors related to various road conditions as laid down above with additional attention to slippery parts such as drain covers, road markings such as lines and arrows, tram rails;

3.1.4. Mechanical aspects with a bearing on road safety as laid down above with additional attention to the emergency stop switch, the oil levels and the chain.

4. Specific provisions concerning categories C, C+E, C1, C1+E, D, D+E, D1 and D1+E

4.1. Compulsory check of general knowledge on:

4.1.1. Rules on driving hours and rest periods as defined by Council Regulation (EEC) No 3820/85²⁹; use of the recording equipment as defined by Council Regulation (EEC) No 3821/85³⁰,

4.1.2. Rules concerning the type of transport concerned: goods or passengers;

4.1.3. Vehicle and transport documents required for the national and international carriage of goods and passengers;

4.1.4. How to behave in the event of an accident; knowledge of measures to be taken after an accident or similar occurrence, including emergency action such as evacuation of passengers and basic knowledge of first aid;

4.1.5. The precautions to be taken during the removal and replacement of wheels;

4.1.6. Rules on vehicle weights and dimensions; rules on speed limiters;

4.1.7. Obstruction of the field of view caused by the characteristics of their vehicles;

4.1.8. Reading a road map, route planning, including the use of electronic navigation systems (optional);

4.1.9. Safety factors relating to vehicle loading: controlling the load (stowing and fastening), difficulties with different kinds of load (e.g. liquids, hanging loads,...), loading and unloading goods and the use of loading equipment (categories C, C+E, C1, C1+E only);

4.1.10. The driver's responsibility in respect to the carriage of passengers; comfort and safety of passengers; transport of children; necessary checks before driving away; all sorts of buses should be part of the theory test (public service buses and coaches, buses with special dimensions,...) (categories D, D+E, D1, D1+E only).

4.2. Compulsory check of general knowledge on the following additional provisions concerning categories C, C+E, D and D+E:

4.2.1. The principles of the construction and functioning of: internal combustion engines, fluids (e.g. engine oil, coolant, washer fluid), the fuel system, the electrical system, the ignition system, the transmission system (clutch, gearbox, etc.);

4.2.2. Lubrication and antifreeze protection;

4.2.3. The principles of the construction, the fitting, correct use and care of tyres;

4.2.4. The principles of the types, operation, main parts, connection, use and day-to-day maintenance of brake fittings and speed governors, and use of anti-lock brakes;

4.2.5. The principles of the types, operation, main parts, connection, use and day-to-day maintenance of coupling systems (categories C+E, D+E only);

4.2.6. Methods of locating causes of breakdowns;

²⁹ OJ L 370, 31.12.1985, p. 1.

³⁰ OJ L 370, 31.12.1985, p. 8.

4.2.7. Preventive maintenance of vehicles and necessary running repairs;

4.2.8. The driver's responsibility in respect of the receipt, carriage and delivery of goods in accordance with the agreed conditions (categories C, C+E only).

B. TEST OF SKILLS AND BEHAVIOUR

5. The vehicle and its equipment

5.1. The driving of a vehicle with manual transmission shall be subject to the passing of a skills and behaviour test taken on a vehicle with manual transmission.

If an applicant takes the test of skills and behaviour on a vehicle with automatic transmission this shall be recorded on any licence issued on the basis of such a test. Licences with this indication shall be used only for driving vehicles with automatic transmission.

«Vehicle with automatic transmission» means a vehicle in which the gear ratio between the engine and the wheels can be varied by use only of the accelerator or the brakes.

5.2. The vehicles used in tests of skills and behaviour shall comply with the minimum criteria given below. Member States may make provisions for more stringent criteria or add others.

↓ new

Category A1:

Category A1 motorcycle without sidecar, with a cubic capacity of at least 120 cm³, and capable of a speed of at least 90 km/h

Category A2:

Category A2 motorcycle without sidecar, with a cubic capacity of at least 375 cm³, and an engine power of at least 25 kW

Category A :

Category A motorcycle without sidecar, with a cubic capacity of at least 600 cm³, and an engine power of at least 35 kW

↓ 2000/56/CE Art.1, pt. 2
(adapted)

~~Category A:~~

~~Progressive access (first clause of the first indent of Article 6(1)(b)): a motorcycle without sidecar with a cubic capacity of over 120 cm³, capable of a speed of at least 100 km/h,~~

~~Direct access (second clause of the first indent of Article 6(1)(b)): a motorcycle without sidecar with an engine power of at least 35 kW.~~

~~Subcategory A1:~~

~~A motorcycle without sidecar with a cubic capacity of at least 75 cm³.~~

↓ 2000/56/CE Art.1, pt. 2
(adapted)

Category B:

A four-wheeled category B vehicle capable of a speed of at least 100 km/h;

Category B+E:

A combination, made up of a category B test vehicle and a trailer with a maximum authorised mass of at least 1 000 kilograms, capable of a speed of at least 100 km/h, which does not fall within category B; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the motor vehicle; the closed box body may also be slightly less wide than the motor vehicle provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum of 800 kilograms real total mass;

~~Sub~~Category B1:

A motor-powered tricycle or quadricycle capable of a speed of at least 60 km/h;

Category C:

A category C vehicle with a maximum authorised mass of at least 12 000 kilograms, a length of at least eight metres, a width of at least 2,40 metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes, equipped with a gearbox having at least eight forward ratios and recording equipment as defined by Regulation (EEC) No 3821/85; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; the vehicle shall be presented with a minimum of 10 000 kilograms real total mass;

Category C+E:

either an articulated vehicle or a combination of a category C test vehicle and a trailer of at least 7,5 metres in length; both the articulated vehicle and the combination shall have a maximum authorised mass of at least 20 000 kilograms, a length of at least 14 metres and a width of at least 2,40 metres, shall be capable of a speed of at least 80 km/h, fitted with anti-lock brakes, equipped with a gearbox having at least eight forward ratios and with recording equipment as defined by Regulation (EEC) No 3821/85; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; both the articulated vehicle and the combination shall be presented with a minimum of 15 000 kilograms real total mass;

~~Sub~~Category C1:

A subcategory C1 vehicle with a maximum authorised mass of at least 4 000 kilograms, with a length of at least five metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EEC) No 3821/85;

the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab;

~~Sub~~Category C1 + E:

A combination made up of a subcategory C1 test vehicle and a trailer with a maximum authorised mass of at least 1 250 kilograms; this combination shall be at least eight metres in length and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the cab; the closed box body may also be slightly less wide than the cab provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum of 800 kilograms real total mass;

Category D:

A category D vehicle with a length of at least 10 metres, a width of at least 2,40 metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EEC) No 3821/85;

Category D+E:

A combination made up of a category D test vehicle and a trailer with a maximum authorised mass of at least 1 250 kilograms, a width of at least 2,40 metres and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least two metres wide and two metres high; the trailer shall be presented with a minimum of 800 kilograms real total mass;

~~Sub~~Category D1:

A subcategory D 1 vehicle with a maximum authorised mass of at least 4 000 kilograms, with a length of at least five metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EEC) No 3821/85;

~~Sub~~Category D1+E:

A combination made up of a subcategory D1 test vehicle and a trailer with a maximum authorised mass of at least 1 250 kilograms and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least two metres wide and two metres high; the trailer shall be presented with a minimum of 800 kilograms real total mass;

Testing vehicles for categories B+E, C, C+E, C1, C1+E, D, D+E, D1 and D1+E which are not in conformity with the minimum criteria given above but which were in use on or before the moment of entry into force of this Commission Directive, may still be used for a period not exceeding ten years after that date. The requirements related to the load to be carried by these vehicles, may be implemented by Member States up to ten years from the moment of entry into force of this Directive.

6. Skills and behaviour to be tested concerning categories A and A1

6.1. Preparation and technical check of the vehicle with a bearing on road safety

Applicants must demonstrate that they are capable of preparing to ride safely by satisfying the following requirements:

6.1.1. Adjust the protective outfit, such as gloves, boots, clothes and safety helmet;

6.1.2. Perform a random check on the condition of the tyres, brakes, steering, emergency stop switch (if applicable), chain, oil levels, lights, reflectors, direction indicators and audible warning device.

6.2. Special manoeuvres to be tested with a bearing on road safety

6.2.1. Putting the motorcycle on and off its stand and moving it, without the aid of the engine, by walking alongside the vehicle;

6.2.2. Parking the motorcycle on its stand;

6.2.3. At least two manoeuvres to be executed at slow speed, including a slalom; this should allow competence to be assessed in handling of the clutch in combination with the brake, balance, vision direction and position on the motorcycle and the position of the feet on the foot rests;

6.2.4. At least two manoeuvres to be executed at higher speed, of which one manoeuvre in second or third gear, at least 30 km/h and one manoeuvre avoiding an obstacle at a minimum speed of 50 km/h; this should allow competence to be assessed in the position on the motorcycle, vision direction, balance, steering technique and technique of changing gears;

6.2.5. Braking: at least two braking exercises shall be executed, including an emergency brake at a minimum speed of 50 km/h; this should allow competence to be assessed in handling of the front and rear brake, vision direction and the position on the motorcycle.

The special manoeuvres mentioned under points 6.2.3 to 6.2.5 have to be implemented at the latest five years after entry into force of this Directive.

6.3. Behaviour in traffic

Applicants must perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:

6.3.1. Riding away: after parking, after a stop in traffic; exiting a driveway;

6.3.2. Riding on straight roads; passing oncoming vehicles, including in confined spaces;

6.3.3. Riding round bends;

6.3.4. Crossroads: approaching and crossing of intersections and junctions;

6.3.5. Changing direction: left and right turns; changing lanes;

6.3.6. Approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;

6.3.7. Overtaking/passing: overtaking other traffic (if possible); riding alongside obstacles, e.g. parked cars; being overtaken by other traffic (if appropriate);

6.3.8. Special road features (if available): roundabouts; railway level crossings; tram/bus stops; pedestrian crossings; riding up-/downhill on long slopes;

6.3.9. Taking the necessary precautions when getting off the vehicle.

7. Skills and behaviour to be tested concerning categories B, B1 and B+E

7.1. Preparation and technical check of the vehicle with a bearing on road safety

Applicants must demonstrate that they are capable of preparing to drive safely by satisfying the following requirements:

7.1.1. Adjusting the seat as necessary to obtain a correct seated position;

7.1.2. Adjusting rear-view mirrors, seat belts and head restraints if available;

7.1.3. Checking that the doors are closed;

7.1.4. Performing a random check on the condition of the tyres, steering, brakes, fluids (e.g. engine oil, coolant, washer fluid), lights, reflectors, direction indicators and audible warning device;

7.1.5. Checking the safety factors relating to vehicle loading: body, sheets, cargo doors, cabin locking, way of loading, securing load (category B+E only);

7.1.6. Checking the coupling mechanism and the brake and electrical connections (category B+E only);

7.2. Categories B and B1: special manoeuvres to be tested with a bearing on road safety

A selection of the following manoeuvres shall be tested (at least two manoeuvres for the four points, including one in reverse gear):

7.2.1. Reversing in a straight line or reversing right or left round a corner while keeping within the correct traffic lane;

7.2.2. Turning the vehicle to face the opposite way, using forward and reverse gears;

7.2.3. Parking the vehicle and leaving a parking space (parallel, oblique or right-angle, forwards or in reverse, on the flat, uphill or downhill);

7.2.4. Braking accurately to a stop; however, performing an emergency stop is optional.

7.3. Category B+E: special manoeuvres to be tested with a bearing on road safety

7.3.1. Coupling and uncoupling, or uncoupling and re-coupling a trailer from its motor vehicle; the manoeuvre must involve the towing vehicle being parked alongside the trailer (i.e. not in one line);

7.3.2. Reversing along a curve, the line of which shall be left to the discretion of the Member States;

7.3.3. Parking safely for loading/unloading.

7.4. Behaviour in traffic

Applicants must perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:

7.4.1. Driving away: after parking, after a stop in traffic; exiting a driveway;

7.4.2. Driving on straight roads; passing oncoming vehicles, including in confined spaces;

7.4.3. Driving round bends;

7.4.4. Crossroads: approaching and crossing of intersections and junctions;

7.4.5. Changing direction: left and right turns; changing lanes;

7.4.6. Approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;

7.4.7. Overtaking/passing: overtaking other traffic (if possible); driving alongside obstacles, e.g. parked cars; being overtaken by other traffic (if appropriate);

7.4.8. Special road features (if available): roundabouts; railway level crossings; tram/bus stops; pedestrian crossings; driving up-/downhill on long slopes;

7.4.9. Taking the necessary precautions when alighting from the vehicle.

8. *Skills and behaviour to be tested concerning categories C, C+E, C1, C1+E, D, D+E, D1 and D1+E*

8.1. Preparation and technical check of the vehicle with a bearing on road safety

Applicants must demonstrate that they are capable of preparing to drive safely by satisfying the following requirements:

8.1.1. Adjusting the seat as necessary to obtain a correct seated position;

8.1.2. Adjusting rear-view mirrors, seat belts and head restraints if available;

8.1.3. Random checks on the condition of the tyres, steering, brakes, lights, reflectors, direction indicators and audible warning device;

8.1.4. Checking the power-assisted braking and steering systems; checking the condition of the wheels, wheelnuts, mudguards, windscreen, windows and wipers, fluids (e.g. engine oil,

coolant, washer fluid); checking and using the instrument panel including the recording equipment as defined in Regulation (EEC) No 3821/85;

8.1.5. Checking the air pressure, air tanks and the suspension;

8.1.6. Checking the safety factors relating to vehicle loading: body, sheets, cargo doors, loading mechanism (if available), cabin locking (if available), way of loading, securing load (categories C, C+E, C1, C1+E only);

8.1.7. Checking the coupling mechanism and the brake and electrical connections (categories C+E, C1+E, D+E, D1+E only);

8.1.8. Being capable of taking special vehicle safety measures; controlling the body, service doors, emergency exits, first aid equipment, fire extinguishers and other safety equipment (categories D, D+E, D1, D1+E only);

8.1.9. Reading a road map, route planning, including the use of electronic navigation systems (optional).

8.2. Special manoeuvres to be tested with a bearing on road safety

8.2.1. Coupling and uncoupling, or uncoupling and re-coupling a trailer from its motor vehicle; the manoeuvre must involve the towing vehicle being parked alongside the trailer (i.e. not in one line) (categories C+E, C1+E, D+E, D1+E only);

8.2.2. Reversing along a curve, the line of which shall be left to the discretion of the Member States;

8.2.3. Parking safely for loading/unloading at a loading ramp/platform or similar installation (categories C, C+E, C1, C1+E only);

8.2.4. Parking to let passengers on or off the bus safely (categories D, D+E, D1, D1+E only).

8.3. Behaviour in traffic

Applicants must perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:

8.3.1. Driving away: after parking, after a stop in traffic; exiting a driveway;

8.3.2. Driving on straight roads; passing oncoming vehicles, including in confined spaces;

8.3.3. Driving round bends;

8.3.4. Crossroads: approaching and crossing of intersections and junctions;

8.3.5. Changing direction: left and right turns; changing lanes;

8.3.6. Approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;

8.3.7. Overtaking/passing: overtaking other traffic (if possible); driving alongside obstacles, e.g. parked cars; being overtaken by other traffic (if appropriate);

8.3.8. Special road features (if available): roundabouts; railway level crossings; tram/bus stops; pedestrian crossings; driving up-/downhill on long slopes;

8.3.9. Taking the necessary precautions when alighting from the vehicle.

9. Marking of the test of skills and behaviour

9.1. For each of the abovementioned driving situations, the assessment must reflect the degree of ease with which the applicant handles the vehicle controls and his demonstrated capacity to drive in traffic in complete safety. The examiner must feel safe throughout the test. Driving errors or dangerous conduct immediately endangering the safety of the test vehicle, its passengers or other road users shall be penalised by failing the test, whether or not the examiner or accompanying person has to intervene. Nonetheless, the examiner shall be free to decide whether or not the skills and behaviour test should be completed.

Driving examiners must be trained to assess correctly the applicants' ability to drive safely. The work of driving examiners must be monitored and supervised, by a body authorised by the Member State, to ensure correct and consistent application of fault assessment in accordance with the standards laid down in this Annex.

9.2. During their assessment, driving examiners shall pay special attention to the fact whether an applicant is showing a defensive and social driving behaviour. This should reflect the overall style of driving and the driving examiner should take this into account in the overall picture of the applicant. It includes adapted and determined (safe) driving, taking into account road and weather conditions, taking into account other traffic, taking into account the interests of other road users (particularly the more vulnerable) and anticipation.

9.3. The driving examiner will furthermore assess whether the applicant is:

9.3.1. Controlling the vehicle; taking into account: proper use of safety belts, rear-view mirrors, head restraints; seat; proper use of lights and other equipment; proper use of clutch, gearbox, accelerator, braking systems (including third braking system, if available), steering  ; controlling the vehicle under different circumstances, at different speeds; steadiness on the road; the weight and dimensions and characteristics of the vehicle; the weight and type of load  (categories B+E, C, C+E, C1, C1+E, D+E, D1+E only); the comfort of the passengers (categories D, D+E, D1, D1+E only) (no fast acceleration, smoothly driving and no hard braking);

9.3.2. Driving economically and environmentally friendly, taking into account the revolutions per minute, changing gears, braking and accelerating (categories B+E, C, C+E, C1, C1+E, D, D+E, D1, D1+E only);

9.3.3. Observation: all-round observation; proper use of mirrors; far, middle, near distance vision;

9.3.4. Priority/giving way: priority at crossroads, intersections and junctions; giving way at other occasions (e.g. changing direction, changing lanes, special manoeuvres);

9.3.5. Correct position on the road: proper position on the road, in lanes, on roundabouts, round bends, suitable for the type and the characteristics of the vehicle; pre-positioning;

9.3.6. Keeping distance: keeping adequate distance to the front and the side; keeping adequate distance from other road users;

9.3.7. Speed: not exceeding the maximum allowed speed; adapting speed to weather/traffic conditions and where appropriate up to national speed limits; driving at such a speed that stopping within distance of the visible and free road is possible; adapting speed to general speed of same kind of road users;

9.3.8. Traffic lights, road signs and other indications: acting correctly at traffic lights; obeying instructions from traffic controllers; acting correctly at road signs (prohibitions or commands); take appropriate action at road markings;

9.3.9. Signalling: give signals where necessary, correctly and properly timed; indicating directions correctly; taking appropriate action with regard to all signals made by other road users;

9.3.10. Braking and stopping: decelerating in time, braking or stopping according to circumstances; anticipation; using the various braking systems (only for categories C, C+E, D, D+E); using speed reduction systems other than the brakes (only for categories C, C+E, D, D+E).

10. Length of the test

The length of the test and the distance travelled must be sufficient to assess the skills and behaviour laid down in paragraph B of this Annex. In no circumstances should the time spent driving on the road be less than 25 minutes for categories A, ~~B~~ A1, B , B1 and B+E and 45 minutes for the other categories. This does not include the reception of the applicant, the preparation of the vehicle, the technical check of the vehicle with a bearing on road safety, the special manoeuvres and the announcement of the outcome of the practical test.

11. Location of the test

The part of the test to assess the special manoeuvres may be conducted on a special testing ground. Wherever practicable, the part of the test to assess behaviour in traffic should be conducted on roads outside built-up areas, expressways and motorways (or similar), as well as on all kinds of urban streets (residential areas, 30 and 50 km/h areas, urban expressways) which should represent the various types of difficulty likely to be encountered by drivers. It is also desirable for the test to take place in various traffic density conditions. The time spent driving on the road should be used in an optimal way to assess the applicant in all the various traffic areas that can be encountered, with a special emphasis on changing between these areas.

II. KNOWLEDGE, SKILL AND BEHAVIOUR FOR DRIVING A POWER-DRIVEN VEHICLE

Drivers of all power-driven vehicles must at any moment have the knowledge, skills and behaviour described under points 1 to 9 above, with a view to be able to:

- Recognise traffic dangers and assess their seriousness;

- Have sufficient command of their vehicle not to create dangerous situations and to react appropriately should such situations occur;
- Comply with road traffic regulations, and in particular those intended to prevent road accidents and to maintain the flow of traffic;
- Detect any major technical faults in their vehicles, in particular those posing a safety hazard, and have them remedied in an appropriate fashion;
- Take account of all the factors affecting driving behaviour (e.g. alcohol, fatigue, poor eyesight, etc.) so as to retain full use of the faculties needed to drive safely;
- Help ensure the safety of all road users, and in particular of the weakest and most exposed by showing due respect for others.

Member States may implement the appropriate measures to ensure that drivers who have lost the knowledge, skills and behaviour as described under points 1 to 9 can recover this knowledge and these skills and will continue to exhibit such behaviour required for driving a motor vehicle.

ANNEX III

MINIMUM STANDARDS OF PHYSICAL AND MENTAL FITNESS FOR DRIVING A POWER-DRIVEN VEHICLE

DEFINITIONS

1. For the purpose of this Annex, drivers are classified in two groups:
 - 1.1. *Group 1:*

drivers of vehicles of categories A, ~~B~~ ⇒ A1, ~~B~~ ⇒ B1 ⇒ and B + E ~~and subcategory A1 and B1.~~
 - 1.2. *Group 2:*

drivers of vehicles of categories C, C + E, ⇒ C1, C1 + E ⇒ D, D + E ~~and of subcategory C1, C1 + E, D1 and D1 + E.~~
 - 1.3. National legislation may provide for the provisions set out in this Annex for Group 2 drivers to apply to drivers of Category B vehicles using their driving licence for professional purposes (taxis, ambulances, etc.).
2. Similarly, applicants for a first driving licence or for the renewal of a driving licence are classified in the group to which they will belong once the licence has been issued or renewed.

MEDICAL EXAMINATIONS

3. *Group 1:*

Applicants shall be required to undergo a medical examination if it becomes apparent, when the necessary formalities are being completed or during the tests which they have to undergo prior to obtaining a driving licence, that they have one or more of the medical disabilities mentioned in this Annex.
4. *Group 2:*

Applicants shall undergo medical examination before a driving licence is first issued to them and thereafter drivers shall undergo such periodic examinations ⇒ whenever their driving licence is renewed ~~as may be prescribed by national legislation.~~
5. The standards set by Member States for the issue or any subsequent renewal of driving licences may be stricter than those set out in this Annex.

SIGHT

6. All applicants for a driving licence shall undergo an appropriate investigation to ensure that they have adequate visual acuity for driving power-driven vehicles. Where there is reason to doubt that the applicant's vision is adequate, he shall be examined by a competent medical authority. At this examination attention shall be paid the following in particular: visual acuity, field of vision, twilight vision and progressive eye diseases.

For the purpose of this Annex, intra-ocular lenses shall not be considered corrective lenses.

Group 1:

- 6.1. Applicants for a driving licence or for the renewal of such a licence shall have a binocular visual acuity, with corrective lenses if necessary, of at least 0,5 when using both eyes together. Driving licences shall not be issued or renewed if, during the medical examination, it is shown that the horizontal field of vision is less than 120°, apart from exceptional cases duly justified by a favourable medical opinion and a positive practical test, or that the person concerned suffers from any other eye condition that would compromise safe driving. When a progressive eye defect is detected or declared, driving licences may be issued or renewed subject to the applicant undergoing regular examination by a competent medical authority.
- 6.2. Applicants for a driving licence, or for the renewal of such a licence, who have total functional loss of vision in one eye or who use only one eye (e.g. in the case of diplopia) must have a visual acuity of at least 0,6, with corrective lenses if necessary. The competent medical authority must certify that this condition of monocular vision has existed sufficiently long to allow adaptation and that the field of vision in this eye is normal.

Group 2:

- 6.3. Applicants for a driving licence or for the renewal of such a licence must have a visual acuity, with corrective lenses if necessary, of at least 0,8 in the better eye and at least 0,5 in the worse eye. If corrective lenses are used to attain the values of 0,8 and 0,5, the uncorrected acuity in each eye must reach 0,05, or else the minimum acuity (0,8 and 0,5) must be achieved either by correction by means of glasses with a power not exceeding plus or minus 4 ⇔ 8 ⇐ dioptries or with the aid of contact lenses (uncorrected vision = 0,05). The correction must be well tolerated. Driving licences shall not be issued to or renewed for applications or drivers without a normal binocular field of vision or suffering from diplopia.

HEARING

7. Driving licences may be issued to or renewed for applicants or drivers in Group 2 subject to the opinion of the competent medical authorities; particular account will be taken in medical examinations of the scope for compensation.

PERSONS WITH A LOCOMOTOR DISABILITY

8. Driving licences shall not be issued to or renewed for applicants or drivers suffering from complaints or abnormalities of the locomotor system which make it dangerous to drive a power-driven vehicle.

Group 1:

- 8.1. Driving licences subject to certain restrictions, if necessary, may be issued to physically handicapped applicants or drivers following the issuing of an opinion by a competent medical authority. This opinion must be based on a medical assessment of the complaint or abnormality in question and, where necessary, on a practical test. It must also indicate what type of modification to the vehicle is required and whether the driver needs to be fitted with an orthopaedic device, insofar as the test of skills and behaviour demonstrates that with such a device driving would not to be dangerous.
- 8.2. Driving licences may be issued to or renewed for any applicant suffering from a progressive complaint on condition that the disabled person is regularly examined to check that the person is still capable of driving the vehicle completely safely.

Where the handicap is static, driving licences may be issued or renewed without the applicant being subject to regular medical examination.

Group 2:

- 8.3. The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

CARDIOVASCULAR DISEASES

9. Any disease capable of exposing an applicant for a first licence or a driver applying for renewal to a sudden failure of the cardiovascular system such that there is a sudden impairment of the cerebral functions constitutes a danger to road safety.

Group 1:

- 9.1. Driving licences will not to be issued to, or renewed for, applicants or drivers with serious arrhythmia.
- 9.2. Driving licences may be issued to, or renewed for, applicants or drivers wearing a pacemaker subject to authorised medical opinion and regular medical check-ups.
- 9.3. The question whether to issue or renew a licence for applicants or drivers suffering from abnormal arterial blood pressure shall be assessed with reference to the other results of the examination, may associated complications and the danger they might constitute for road safety.
- 9.4. Generally speaking, a driving licence shall not be issued to or renewed for applicants or drivers suffering from angina during rest or emotion. The issuing or renewal of a

driving licence to any applicant or driver having suffered myocardial infarction shall be subject to authorised medical opinion and, if necessary, regular medical check-ups.

Group 2:

- 9.5. The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

DIABETES MELLITUS

10. Driving licences may be issued to, or renewed for, applicants or drivers suffering from diabetes mellitus, subject to authorised medical opinion and regular medical check-ups appropriate to each case.

Group 2:

- 10.1. Only in very exceptional cases may driving licences be issued to, or renewed for, applicants or drivers in this group suffering from diabetes mellitus and requiring insulin treatment, and then only where duly justified by authorised medical opinion and subject to regular medical check-ups.

NEUROLOGICAL DISEASES

11. Driving licences shall not be issued to, or renewed for, applicants or drivers suffering from a serious neurological disease, unless the application is supported by authorised medical opinion.

Neurological disturbances associated with diseases or surgical intervention affecting the central or peripheral nervous system, which lead to sensory or motor deficiencies and affect balance and coordination, must accordingly be taken into account in relation to their functional effects and the risks of progression. In such cases, the issue or renewal of the licence may be subject to periodic assessment in the event of risk of deterioration.

12. Epileptic seizures or other sudden disturbances of the state of consciousness constitute a serious danger to road safety if they occur in a person driving a power-driven vehicle.

Group 1:

- 12.1. A licence may be issued or renewed subject to an examination by a competent medical authority and to regular medical check-ups. The authority shall decide on the state of the epilepsy or other disturbances of consciousness, its clinical form and progress (no seizure in the last two years, for example), the treatment received and the results thereof.

Group 2:

- 12.2. Driving licences shall not be issued to or renewed for applicants or drivers suffering or liable to suffer from epileptic seizures or other sudden disturbances of the state of consciousness.

MENTAL DISORDERS

Group 1:

- 13.1. Driving licences shall not be issued to, or renewed for, applicants or drivers who suffer from:
- severe mental disturbance, whether congenital or due to disease, trauma or neurosurgical operations,
 - severe mental retardation,
 - severe behavioural problems due to ageing; or personality defects leading to seriously impaired judgment, behaviour or adaptability,
- unless their application is supported by authorised medical opinion and, if necessary, subject to regular medical check-ups.

Group 2:

- 13.2. The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

ALCOHOL

14. Alcohol consumption constitutes a major danger to road safety. In view of the scale of the problem, the medical profession must be very vigilant.

Group 1:

- 14.1. Driving licences shall not be issued to, or renewed for, applicants or drivers who are dependent on alcohol or unable to refrain from drinking and driving.
- After a proven period of abstinence and subject to authorised medical opinion and regular medical check-ups, driving licences may be issued to, or renewed for, applicant or drivers who have in the past been dependent on alcohol.

Group 2:

- 14.2. The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

DRUGS AND MEDICINAL PRODUCTS

15. Abuse:

Driving licences shall not be issued to or renewed for applicants or drivers who are dependent on psychotropic substances or who are not dependent on such substances but regularly abuse them, whatever category of licence is requested.

Regular use:

Group 1:

- 15.1. Driving licences shall not be issued to, or renewed for, applicants or drivers who regularly use psychotropic substances, in whatever form, which can hamper the ability to drive safely where the quantities absorbed are such as to have an adverse effect on driving. This shall apply to all other medicinal products or combinations of medicinal products which affect the ability to drive.

Group 2:

- 15.2. The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definitions of this group.

RENAL DISORDERS

Group 1:

- 16.1. Driving licences may be issued or renewed for applicants and drivers suffering from serious renal insufficiency subject to authorised medical opinion and regular medical check-ups.

Group 2:

- 16.2. Save in exceptional cases duly justified by authorised medical opinion, and subject to regular medical check-ups, driving licences shall not be issued to or renewed for applicants or drivers suffering from serious and irreversible renal deficiency.

MISCELLANEOUS PROVISIONS

Group 1:

- 17.1. Subject to authorised medical opinion and, if necessary, regular medical check-ups, driving licences may be issued to or renewed for applications or drivers who have had an organ transplant or an artificial implant which affects the ability to drive.

Group 2:

- 17.2. The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

18. As a general rule, where applicants or drivers suffer from any disorder which is not mentioned in the preceding paragraph but is liable to be, or to result in, a functional incapacity affecting safety at the wheel, driving licences shall not be issued or renewed unless the application is supported by authorised medical opinion and, if necessary, subject to regular medical check-ups.
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ANNEX IV
INITIAL QUALIFICATION AND PERIODICAL TRAINING OF DRIVING
LICENCE EXAMINERS

1. General conditions

1.1. A category B driving licence examiner:

- (a) must have held a category B licence for at least 5 years;
- (b) be at least 25 years old;
- (c) must have successfully completed the initial qualification provided for in point 2 and must thereafter follow periodic training each year as provided for in point 3.

1.2. A driving licence examiner for the other categories:

- (a) must hold a driving licence in the category concerned;
- (b) must have successfully completed the initial qualification provided for in point 3 and must thereafter follow periodic training each year as provided for in point 3;
- (c) must have been a qualified category B driving licence examiner for at least 3 years ; this period may be reduced to 1 year provided that the examiner in question can provide evidence of at least 5 years of during in the category concerned.

2. Content of the initial qualification of driving licence examiners:

2.1. Detailed knowledge of all the points covered by this Directive, and in particular Annex II thereof. In addition, the initial qualification must cover the following aspects:

2.1.1. Aspects of driving:

- (a) behaviour in traffic
- (b) taking road traffic into account
- (c) observation technique
- (d) control of the vehicle
- (e) various weather conditions and the state of the road
- (f) defensive driving (appropriate driving, taking into account the interests of road users, anticipation of situations)

(g) economical and environmentally friendly driving.

2.1.2. Knowledge:

(a) detailed knowledge of the highway code

(b) teaching skills.

2.2. For the initial qualification, Member States shall require at least a theoretical test and a practical test covering each of the subjects covered by this Directive, and in particular the subjects set out in point 2 which are necessary for verifying the knowledge, aptitudes and behaviour needed for a driving licence examiner in the category concerned, special attention being paid to the ability to drive in this category.

Category A driving licence examiners shall also be licensed to examine categories Am, A1 and A2. Category C driving licence examiners shall also be licensed to examine categories C1, D et D1. Category C+E driving licence examiners shall also be licensed to examine categories C1+E, D+E, D1+E.

3. Periodic training

Periodic training must cover the same subjects as the initial formation. The theoretical training must cover, in particular, such aspects as modifications to legislation, and teaching and social skills. The practical training must make it possible to maintain an excellent level of ability to drive in the category concerned and personal expertise in this field. A period of observation lasting at least 1 day a year should provide the necessary information to target the periodic training according to the personal needs of the examiner. The minimum annual period of periodic training is as follow:

Theoretical training (all categories):

2 days

Practical training:

Category B: 1 day

Category B+E: 1 day

Category A: 3 days

Category C: 3 days

Category C+E: 3 days.

The periodic training for category A will also apply for categories Am, A1 and A2. The periodic training for category C will also apply for categories C1, D and D1. The periodic training for category C+E will also apply for categories C1+E, D+E, D1+E. »

ANNEX V**Part A****Repealed Directive as successively amended**
(referred to in Article 18)

Council Directive 91/439/EEC ³¹	(OJ L 237, 24.8.1991, p. 1)
Council Directive 94/72/CE	(OJ L 337, 24.12.1994, p. 86)
Council Directive 96/47/CE	(OJ L 235, 17.9.1996, p. 1)
Council Directive 97/26/CE	(OJ L 150, 07.6.1997, p.)41
Commission Directive 2000/56/CE	(OJ L 237, 21.9.2000, p. 45)
EP and Council Directive 2003/59/CE, only Article 10, paragraph 2	(OJ L 226, 10.9.2003, p. 4)

³¹ Directive 91/439/EEC was also amended by the following act which has not been repealed: Act concerning the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21).

Part B

Deadlines for transposition in national law and for application (referred to in Article 18)

Directive	Deadline for transposition	Date of application
Directive 91/439/EEC	1 st July 1994	1 st July 1996
Directive 94/72/EC	-	xx.xx.1995
Decision 96/427/EC	-	16 July 1996
Directive 96/47/EC	1 st July 1996	1 st July 1996
Directive 97/26/EC	1 st January 1998	1 st January 1998
Directive 2000/56/EC	30 September 2003	30 September 2003, 30 September 2008 (Annex II, point 6.2.5) and 30 September 2013 (Annex II point 5.2)
Directive 2003/59/EC	10 September 2006	10 September 2008 (passenger transport) and 10 September 2009 (goods transport)

ANNEX VI

CORRELATION TABLE

Council Directive 91/439/EEC	This Directive
Article 1.1, first sentence	Article 1.1
Article 1.1, second sentence	-
-	Article 1.2
Article 1.2	Article 2
Article 1.3	-
Article 2.1	Article 3.1
Article 2.2	Article 3.2, first sentence
	Article 3.2, second sentence
Article 2.3	-
Article 2.4	-
Article 3.1, 1 st subparagraph, introductory words	Article 4.1, 1 st subparagraph, introductory words
-	Article 4.1, 1 st subparagraph, 1 st indent
-	Article 4.1, 1 st subparagraph, 3 rd indent
Article 3.1, 1 st subparagraph, 1 st indent	Article 4.1, 1 st subparagraph, 4 th indent
Article 3.1, 1 st subparagraph, 2 nd indent	Article 4.1, 1 st subparagraph, 6 th indent
Article 3.1, 1 st subparagraph, 3 rd indent	-
Article 3.1, 1 st subparagraph, 4 th indent	Article 4.1, 1 st subparagraph, 7 th indent
Article 3.1, 1 st subparagraph, 5 th indent	Article 4.1, 1 st subparagraph, 10 th indent
Article 3.1, 1 st subparagraph, 6 th indent	Article 4.1, 1 st subparagraph, 11 th indent
Article 3.1, 1 st subparagraph, 7 th indent	Article 4.1, 1 st subparagraph, 14 th indent
Article 3.1, 1 st subparagraph, 8 th indent	Article 4.1, 1 st subparagraph, 15 th indent
Article 3.2, 1 st subparagraph, introductory words	-

Article 3.2, 1 ^{er} subparagraph, 1 st indent	Article 4.1, 1 st subparagraph, 2 nd indent
Article 3.2, 1 ^{er} subparagraph, 2 nd indent	Article 4.1, 1 st subparagraph, 5 th indent
Article 3.2, 1 st subparagraph, 3 rd indent	Article 4.1, 1 st subparagraph, 8 th indent
Article 3.2, 1 st subparagraph, 4 th indent	Article 4.1, 1 st subparagraph, 9 th indent
Article 3.2, 1 st subparagraph, 5 th indent	Article 4.1, 1 st subparagraph, 12 th indent
Article 3.2, 1 st subparagraph, 6 th indent, introductory words	Article 4.1, 1 st subparagraph, 13 th indent
Article 3.2, 1 st subparagraph, 6 th indent, 1 ^{er} sub-indent	Article 4.1, 1 st subparagraph, 13 th indent
Article 3.2, 1 st subparagraph, 2 nd indent, 2 nd sub-indent	Article 4.1, 2 nd subparagraph
Article 3.3, introductory words	Article 4.2, introductory words
Article 3.3, 1 st indent	Article 4.2.a
-	Article 4.2.b
Article 3.3, 2 nd indent, 1 st subparagraph	Article 4.2.c and d
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Article 3.3, 3 rd indent	Article 4.2.e
Article 3.3, 4 th indent	Article 4.2.f
Article 3.3, 5 th indent	Article 4.2.g
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Article 3.4	-
Article 3.5	-
Article 3.6	Article 4.4
Article 4	Article 5
Article 5.1	Article 6.1
Article 5.2, introductory words	Article 6.2, introductory words
Article 5.2.a	Article 6.2.a

Article 5.2.b

-

-

Article 5.3

Article 5.4

Article 6.1, introductory words

-

Article 6.1.a, 1st indent

Article 6.1.a, 2nd indent

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Article 6.1.b, 2nd indent

Article 6.1.b, 3rd indent

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Article 6.1.c, 1st indent

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Article 6.2

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Article 6.3

Article 7.1, introductory words

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Article 7.1.b

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Article 6.2.b

Article 6.2.c

Article 6.2.d

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Article 6.4

Article 7.1, introductory words

Article 7.1.a, 1st indent

Article 7.1.a, 2nd indent

Article 7.1.a, 3rd indent

Article 7.1.b, 1st indent

Article 7.1.b, 2nd indent

Article 7.1.b, 3rd indent

Article 7.1.c, 1st indent

Article 7.1.c, 2nd indent

Article 7.1.d

Article 7.2, 1st subparagraph, first sentence

Article 7.2, 2nd subparagraph, second sentence

-

Article 8.1, introductory words

Article 8.1.a

Article 8.1.b

Article 8.1.c

Article 8.1.d

Article 8.1.e

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Article 7.3	-
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	Article 8.5, second sentence
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Article 12.2	-
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-	Article 17
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-	Article 18, second subparagraph
-	Article 19
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Annex II	Annex II
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Annex IV
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Annex VI

IMPACT ASSESSMENT FORM

IMPACT OF THE PROPOSAL ON BUSINESS WITH SPECIAL REFERENCE TO SMALL AND MEDIUM-SIZED ENTERPRISES(SMEs)

TITLE OF PROPOSAL

Directive of the European Parliament and of the Council on driving licences and repealing Directive 91/439/EEC

DOCUMENT REFERENCE NUMBER

COM(2003)...

THE PROPOSAL

1. Taking account of the principle of subsidiarity, why is Community legislation necessary in this area and what are its main aims?

The Community already has competence in the area of driving licences by means of Council Directive 91/439/EEC, repealing the first Directive on driving licences, Directive 80/1263/EEC. The amendments which remain within the competencies conferred to the Community by virtue of Article 71, paragraph 1 c EC. According to this provision the European Parliament and the Council shall, acting in accordance with the co-decision procedure, lay down measures to improve transport safety.

To a large extent, the proposed amendments aim at improving road safety as an aspect of transport safety. They shall improve the overall European standard of driver licensing related safety aspects by means of harmonised driver licensing legislation. Furthermore, a large number of the proposed measures aim at enhancing free movement of driving licence holders, who represent a large proportion of European citizens. This fits within the framework of the "Lisbon Agenda". Moreover, it has to be underlined that the jurisprudence of the Court of Justice of the European Communities underlines the effects that driver licensing may have on the free movement of citizens, one of the core liberties guaranteed by the Union Treaty.

The proposed measures will indirectly enhance the security of transport through the enhanced anti-fraud protection of the Community licence model, the optional introduction of a microchip and the deletion of the paper model Community driving licence.

The objectives of the proposed legislative measures cannot be sufficiently achieved by Member States. National systems in the field of driver licensing vary widely and in particular do not emphasise the aspects of free movement and freedom of establishment. Again, this has been clearly underlined by the Court of Justice of the European Communities.

THE IMPACT ON BUSINESS

2. Who will be affected by the proposal?

- *which sectors of business*

The proposal will affect all future holders of driving licences, as well as driving instructors, driving examiners, but also public administrations dealing with driver licensing, as well as enforcement authorities. There will be indirect effects on the producers of driving licences as the paper model licence will be deleted and only the plastic card licence will remain. However, it will not directly affect their business. There will also be indirect effects on producers of vehicles as the so-called subcategories of Directive 91/439/EEC will be harmonised. This harmonisation should have positive effect because of the increased market and the harmonised definitions.

- *which sizes of business (what is the concentration of small and medium-sized firms)*

The main group of small and medium-sized business to be affected will be the driving schools sector. They are predominantly small businesses (1 person mainly).

- *are there particular geographical areas of the Community where these businesses are found*

No, the representation is equal in all MS.

3. *What will business have to do to comply with the proposal?*

Driving schools will as always have the opportunity to offer training to applicants for a driving licence. There is nothing new in that. One could only note that the different categories of driving licences are further harmonised and as such there is a greater opportunity for increasing work in this typically small enterprise sector.

4. *What economic effects is the proposal likely to have?*

- *on employment*

There will be a positive effect of the increased harmonisation.

- *on investment and the creation of new businesses*

The fact that in certain Member States new licence categories are to be introduced, will probably result in an increase for the driving school sector as described above, but could also result in the indirect increase of the use certain vehicle types like light motorcycles, small vans and small buses which were not harmonised so far.

- *on the competitiveness of businesses*

The harmonisation of the definitions of categories of driving licences will have a positive effect on the competitiveness of businesses. However, it is difficult to speak about competitiveness in a sector that is so locally organised.

5. *Does the proposal contain measures to take account of the specific situation of small and medium-sized firms (reduced or different requirements etc)?*

The proposal does not contain specific measures to this effect.

CONSULTATION

6. *List the organisations that have been consulted about the proposal and outline their main views.*

The current proposal draws on the results of studies carried out since 1994. The harmonisation of the categories of driving licences was discussed with the licensing authorities of the Member States (CIECA), with driving school federations (EFA, IVV, a.o.), with representatives of vehicle industry (ACEM, AFQUAD), with organisations representing users (FIM, FEMA) or sectors (IRU).

The studies and the following discussions were brought to the knowledge of the Committee on the driving licence and to the Governmental Experts on the driving licence and were discussed *in extenso*.