



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.07.1996
COM(96) 401 final

95/0109 (SYN)

OPINION OF THE COMMISSION
on the amendments proposed by the European Parliament
to the Council's common position on the

proposal for a
COUNCIL DIRECTIVE

AMENDING DIRECTIVE 91/439/EEC
ON DRIVING LICENCES

(presented by the Commission pursuant to Article 189 c (d) of the EC Treaty)

On 6 June 1996, the European Parliament amended the common position concerning the abovementioned proposal, adopted by the Council on 26 February 1996. The Parliament's amendments are enclosed.

Pursuant to Article 189c point (d) of the EC Treaty, the Commission has re-examined its proposal and decided against the amendments for the following reasons:

Amendment No 1

Although the Commission agrees with Parliament that the introduction of a microchip in driving licences could increase flexibility of use and reduce the risk of forgery, it believes that it would be premature at this stage to state this in a recital; indeed, this would prejudice the conclusions of the Working Group to be set up by the Commission, in accordance with its declaration, to report on the implications of the possible introduction of a microchip or similar device in driving licences.

Amendment No 2

This amendment aims to make it compulsory for the name of the Member State responsible for granting the licence to appear in full.

The Commission considers that the flexibility provided for in the common position is preferable. Furthermore, the amendment proposed would cause there to be a difference between the licence models in Annex I (the "paper" licence in three parts) and those in Annex Ia (the "plastic" licence in the style of a credit card).

Amendment No 3

This amendment aims to delete the words "European Communities model". This is not acceptable since this confirms that the right to drive granted by a Member State is valid throughout the Community.

Furthermore, as for Amendment No 2, such a deletion would cause an unjustified difference between the two licence models.

Amendment No 4

This amendment aims to regulate taxes levied on driving licences by Member States. This cannot be accepted by the Commission since it is up to the Member States to levy taxes for granting or renewing driving licences if they so wish.

The Commission therefore maintains its proposal and rejects the amendments proposed by the Parliament to the Council's Common Position.

Encl.: 4 amendments

(Amendment 1)
Recital 3

Whereas, in the context of mutual recognition of licences, there is a need to ensure compatibility and interoperability of such licences throughout the Community; whereas, to that end, the introduction on an individual basis of computer technology into the Community model licence should be avoided, while nevertheless leaving space on it for the possible later introduction of a microchip or similar computer device;

Whereas, in the context of mutual recognition of licences, there is a need to ensure compatibility and interoperability of such licences throughout the Community that can also offer a potential for increased flexibility of use, increase of the security and reduction of the risk of forgery of driving licences; whereas, to that end, the introduction on an individual basis of computer technology into the Community model licence should be avoided, while nevertheless leaving space on it for the possible later introduction of a microchip or similar computer device;

(Amendment 2)
Annex Ia
Point 2, page 1, (b)

(b) The name of the Member State issuing the licence (optional).

(b) The name of the Member State issuing the licence.

(Amendment 3)
Annex Ia
Point 2, page 1, (e), introduction

(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 European Community shall be printed in pink to form the background of the licence:

(e) The words "Driving Licence" in the other languages of the European Community shall be printed in pink to form the background of the licence:

(Amendment 4)
Annex Ia
Point 3(ba) (new)

(ba) Member States shall undertake to charge only for the cost of issuing the driving licence. They shall not levy any annual tax.

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