



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05.11.1996
COM(96) 556 final

96/0040 (SYN)

Amended proposal for a
COUNCIL DIRECTIVE
amending Directive 91/439/EEC
on driving licences

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

EXPLANATORY MEMORANDUM

- A. On 20 February 1996 the Commission submitted to the Council a proposal for a Directive amending Directive 91/439/EEC on driving licences (COM(96) 55 final - SYN 96/0040 ¹).

On 24 April 1996 ² the Economic and Social Committee gave a favourable opinion.

On 5 September 1996 the European Parliament gave an opinion on the proposal at the first reading. The Commission accepts amendment 1 and takes account, in the amended proposal in the annex, of amendment 5, although it is unable to accept it in full.

The Commission has not been able to accept the other amendments tabled by Parliament for the following reasons:

- the recital concerning the code of conduct does not relate to any of the articles;
- the recital on setting up a European penalty points driving licence system and that on mutual recognition of decisions to suspend or withdraw driving licences fall outside the proposal remit;
- introducing a universal code 00, without a definition, would run counter to the proposal's objective which is to define harmonized codes which everyone can easily understand;
- the obligation to subdivide codes before 31 December 1996 does not correspond to the content of Article 2 of the Commission proposal. According to this provision the task of subdividing codes actually falls on the appropriate committee, which must take scientific and technical progress into consideration; this also applies after 31.12.1996;
- the amendment concerning the committee's composition and working methods is not in line with the provisions of Council Decision 87/373/EEC on committee procedure;
- the amendment on mutual recognition of decisions to suspend or withdraw driving licences falls outside the proposal remit;
- the amendment on medical standards for driving falls outside the proposal remit.

¹ OJ No C 110, 16.4.1996, p. 7.

² OJ No C 204, 15.7.1996, p.20.

B. The Commission thus amends its proposal as follows:

Amendment 1: addition of the words "and sub-codes"

Amendment 2: addition of the words:

02 ... / "communication aid"

03 ... / "for the limbs"

70 and 71 ... "(ECE/UN symbol of third country)"

79 "Restricted to vehicles meeting the specifications set out in parentheses, with reference to the application of Article 10(1) of Directive 91/439/ECE".

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The Commission proposal in document COM(96) 55 final - SYN 96/0040 ³ is amended as follows:

Text initially proposed by the Commission	Amended text
(Amendment 1)	
Recital 3	
Whereas the codes applying to the conditions of issue governed by Directive 91/439/EEC are valid throughout the Community;	Whereas the codes <u>and sub-codes</u> applying to the conditions of issue governed by Directive 91/439/EEC are valid throughout the Community;

³ OJ No C 110, 16.4.1996, p. 7.

Text initially proposed by the Commission	Amended text
(Amendment 2) ARTICLE 1 Annex I.2, sixth indent and Annex Ia 2.12 (Directive 91/439/EEC)	
- codes 01 to 99 = harmonized Community codes	- codes 01 to 99 = harmonized Community codes
01 Eyesight correction	01 Eyesight correction
02 Hearing aid	02 Hearing aid/ <u>communication aid</u>
03 Prosthesis/Orthosis <u>for the locomotive apparatus</u>	03 Prosthesis/Orthosis <u>for the limbs</u>
04 Subject to the possession of a valid medical certificate	04 Subject to the possession of a valid medical certificate
05 Driving subject to restrictions for medical reasons	05 Driving subject to restrictions for medical reasons
10 Modified transmission	10 Modified transmission
15 Modified clutch	15 Modified clutch
20 Modified braking systems	20 Modified braking systems
25 Modified accelerator systems	25 Modified accelerator systems
30 Modified combined braking and accelerator systems	30 Modified combined braking and accelerator systems
35 Modified control layouts	35 Modified control layouts
40 Modified steering	40 Modified steering
42 Modified rear-view mirror(s)	42 Modified rear-view mirror(s)
43 Modified driving seat	43 Modified driving seat
44 Modifications to motorcycles	44 Modifications to motorcycles
45 Motorcycle combinations only	45 Motorcycle combinations only
50 Restricted to a specific vehicle/chassis number	50 Restricted to a specific vehicle/chassis number
51 Restricted to a specific vehicle/registration mark	51 Restricted to a specific vehicle/registration mark
55 Combinations of vehicle modifications	55 Combinations of vehicle modifications
70 Exchange of licence No ... issued by ...	70 Exchange of licence No ... issued by ...
71 Duplicate of licence No ...	71 Duplicate of licence No ... <u>(ECE/UN symbol of third country)</u>
72 Restricted to category-A vehicles having a maximum cylinder capacity of 125 cm ³ and a maximum power of 11 kW (A1)	72 Restricted to category-A vehicles having a maximum cylinder capacity of 125 cm ³ and a maximum power of 11 kW (A1)
73 Restricted to category-B vehicles of the motor tricycle or quadricycle type (B1)	73 Restricted to category-B vehicles of the motor tricycle or quadricycle type (B1)

<p>74 Restricted to category-C vehicles, the maximum authorized mass of which does not exceed 7 500 kg (C1)</p> <p>75 Restricted to category-D vehicles with not more than 16 passenger seats, excluding that of the driver (D1)</p> <p>76 Restricted to category-C vehicles of which the maximum authorized mass does not exceed 7 500 kg (C1), attached to a trailer of which the maximum authorized mass exceeds 750 kg, provided that the maximum mass of the vehicle train thus formed does not exceed 12 000 kg and that the maximum authorized mass of the trailer does not exceed the unladen mass of the drawing vehicle (C1+E)</p> <p>77 Restricted to category-D vehicles with not more than 16 passenger seats, excluding that of the driver (D1), attached to a trailer the maximum authorized mass of which exceeds 750 kg, provided that (a) the maximum authorized mass of the resultant vehicle train does not exceed 12 000 kg and that the maximum authorized 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)</p> <p>78 Restricted to vehicles with an automatic transmission (Annexes II, 8.1.1 Section 2)</p>	<p>74 Restricted to category-C vehicles, the maximum authorized mass of which does not exceed 7 500 kg (C1)</p> <p>75 Restricted to category-D vehicles with not more than 16 passenger seats, excluding that of the driver (D1)</p> <p>76 Restricted to category-C vehicles of which the maximum authorized mass does not exceed 7 500 kg (C1), attached to a trailer of which the maximum authorized mass exceeds 750 kg, provided that the maximum mass of the vehicle train thus formed does not exceed 12 000 kg and that the maximum authorized mass of the trailer does not exceed the unladen mass of the drawing vehicle (C1+E)</p> <p>77 Restricted to category-D vehicles with not more than 16 passenger seats, excluding that of the driver (D1), attached to a trailer the maximum authorized mass of which exceeds 750 kg, provided that (a) the maximum authorized mass of the resultant vehicle train does not exceed 12 000 kg and that the maximum authorized 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)</p> <p>78 Restricted to vehicles with an automatic transmission (Annexes II, 8.1.1 Section 2)</p> <p><u>79</u> <u>Restricted to vehicles meeting the specifications set out in parentheses, with reference to the application of Article 10(1) of Directive 91/439/EEC</u></p>
<p><u>If necessary</u> a subdivision of the codes will be defined in line with the provisions of Article 2 of this Directive and more particularly with regard to codes 04, 05, 44 and 55.</p>	<p>A subdivision of the codes will be defined <u>by 31 December 1996</u> in line with the provisions of Article 2 of this Directive and more particularly with regard to codes 04, 05, 44 and 55.</p>

The remainder of the text is unchanged.

Done at

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