



COMMISSION OF THE EUROPEAN COMMUNITIES

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2003/0252 (COD)

**COMMUNICATION FROM THE COMMISSION  
TO THE EUROPEAN PARLIAMENT**

**pursuant to the second subparagraph of Article 251(2) of the EC Treaty**

**concerning the**

**common position adopted by the Council with a view to the adoption of a Directive of  
the European Parliament and of the Council on driving licences (Recast)**

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**1. BACKGROUND**

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|---|-------------------|
| Date of transmission of the proposal to the EP and the Council<br>(COM(2003) 621 –2003/0252(COD)) | 3 December 2003   |
| Date of the opinion of the European Economic and Social Committee:                                | 31 March 2004     |
| Date of the opinion of the European Parliament, first reading:                                    | 23 February 2005  |
| Date of adoption of the common position:  | 18 September 2006 |

**2. OBJECTIVE OF THE COMMISSION PROPOSAL**

On 21 October 2003, the Commission adopted a proposal for a Directive on driving licences, which is a proposal to recast and therefore replace Directive 91/439/EEC on driving licences and its successive amendments<sup>1</sup>. The three main objectives of the proposal are as follows:

- (1) to reduce the possibilities of fraud: elimination of the possibility of issuing a paper driving licence model in favour of a plastic card 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;
- (2) to guarantee the free movement of citizens by means of introducing limited administrative validity and by harmonising the frequency of medical checks for professional drivers;
- (3) to contribute to improving 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; confirmation of the principle of holding a single driving licence (one holder - one licence).

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<sup>1</sup> Council Directive 91/439/EEC of 29 July 1991 on driving licences, OJ L 237 of 24 August 1991, p.1, as last amended by Commission Directive 2000/56/EC of 14 September 2000, OJ L 237 of 21 September 2000, p.45.

### 3. COMMENTS ON THE COMMON POSITION

The Council adopted its common position by a qualified majority on 18 September 2006. This text not only represents the Council's position but also reflects the compromise negotiated between the three institutions following the negotiations held in June 2005. The Chairman of the European Parliament's Committee on Transport and Tourism has informed the Council Presidency by letter that he would therefore be recommending the TRAN Committee to approve the common position on second reading.

The Council failed to endorse this compromise on three occasions since there was a blocking minority opposed to it, but political agreement was finally reached at the Transport, Telecommunications and Energy Council meeting on 27 March 2006 as a result of an amendment concerning the renewal of driving licences. Article 7(2) has been amended so that driving licences may be issued with a validity of up to 15 years. This aspect was not therefore the subject of interinstitutional negotiations.

Apart from this specific point, the other items under discussion between the three institutions which were the subject of a compromise incorporated in the common position concern:

- **the exchange of existing driving licences** within 20 years of the date of entry into force of the directive (Article 3(3));
- **progressive access to motorcycles**, in particular an interval of 2 years from moving from one category to another, and direct access from 24 years of age. The designations of the categories of motorcycles remain those suggested by the Commission in its initial proposal (Article 4(3) and (6));
- **the principle of a single driving licence** with the aim of combating fraud and preventing "driving licence tourism" (Article 7(5));
- **vehicles with trailers**: provision is made for one day's training or a practical test for all combinations between 3 500 kg and 4 250 kg and where the trailer exceeds 750 kg (Article 4(4)(b)).

The Commission welcomes the fact that, following the interinstitutional negotiations, the new rules adopted will help encourage freedom of movement of drivers, improve road safety and prevent fraud.

### 4. CONCLUSION

The Commission considers that the Council's common position alters neither the main aim nor the spirit of its proposal and is therefore able to support it. It welcomes the fact that it reflects the state of the interinstitutional negotiations, paving the way for the adoption of this proposal on second reading.