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REPORT

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	ST 10429/22 + COR 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down specific and temporary measures, in view of Russia's invasion of Ukraine, concerning driver documents issued by Ukraine in accordance with its legislation – Mandate for negotiations with the European Parliament

1. On 21 June 2022, the Commission submitted the above proposal to the Council. This proposal aims at reducing the administrative requirements normally applying to third country drivers when driving within the EU, provided that the drivers benefit, as displaced persons from the Ukraine, from temporary protection under Council Implementing Decision (EU) 2022/382 in conjunction with Council Directive 2001/55/EC.
2. Supplementing the temporary protection, the proposal foresees that the displaced persons may, longer than is currently the case in most Member States, continue to use their Ukrainian driving licences, that they may apply for special EU driving documents when they are professional drivers, and that they may apply for a special Union driving licence in case of lost or stolen driving licences without the need to first obtain a certificate from the competent Ukrainian authorities. These alleviations should facilitate everyday life and serve the economic integration of the displaced persons.

3. The European Parliament on 5 July 2022 decided to follow the urgent procedure. The political groups are preparing amendments to the proposal with the aim of concluding the Parliament's first reading, if possible, through vote on 7 July 2022.
4. The Land Transport Working Party examined the proposal on 5 July 2022. Prior to that meeting, the Presidency had circulated a working document¹ with a view to facilitating the formulation of compromise text in a speedy fashion, based on initial observations requested from Delegations.
5. In the Working Party, the Commission presented the proposal and responded to questions raised by the delegations. Several delegations entered scrutiny reservations. One delegation informed the group that it will not be able to lift the reserve in time for proceeding with a fast adoption. Another delegation entered a parliamentary scrutiny reservation. Based on the working document of the Presidency, the ensuing discussion centered on the following aspects:
 - the scope of the Regulation, in particular with regard to the persons covered and the duration of measures, as well as their relation to national rules;
 - the practical possibilities to verify the validity of Ukrainian driving documents;
 - the need and content of the additional training and exams that Member States may offer for professional drivers in order to obtain specific temporary documents from a Member State. In particular, several Member States called for flexibility in the Regulation, in order to make the temporary option attractive in practice and quickly operational, while others stressed the need to have a resulting driver competence which corresponds to the level of drivers that have undergone standard EU training.
6. In order to reflect the discussion in the Working Party, the Presidency modified the compromise text outlined in the Annex to this report. Changes compared to the working document examined by the Working Party, except for corrections of errors and linguistic changes, are highlighted in grey.

¹ See doc. WK 9698/2022.

7. The rapporteur in the European Parliament responsible for coordinating the amendments for the Plenary, Mr Marian-Jean MARINESCU (EPP, RO), has informally offered to the Presidency to assess, when preparing for the vote on 7 July 2022, a negotiation position of the Council and to take it into account where appropriate.
 8. In view of this, the Permanent Representatives Committee is invited to:
 - agree on the mandate for the negotiations with the European Parliament based on the Commission's proposal with the necessary amendments as can be seen highlighted in the Annex to this note (subject to further revision by the lawyer linguists of both institutions), as further modified, if necessary, at the meeting of the Permanent Representatives Committee;
 - authorise the Presidency to have exploratory talks with the European Parliament in view of the vote on the Parliament's first reading position.
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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**laying down specific and temporary measures, in view of Russia's invasion of Ukraine,
concerning driver documents issued by Ukraine in accordance with its legislation**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) On 24 February 2022, Russian armed forces initiated a large-scale invasion of Ukraine at multiple locations from the Russian Federation, from Belarus and from non-government-controlled areas of Ukraine. Consequently, substantial areas of Ukrainian territory now constitute areas of armed conflict from which millions of persons have fled or are fleeing.

¹ OJ C , [...], p. .

² OJ C , [...], p. .

- (2) In response to this unprovoked and unjustified military aggression against Ukraine the Council has for the first time established the existence of a mass influx into the Union of displaced persons who have had to leave Ukraine as a consequence of an armed conflict in accordance with Council Directive 2001/55/EC¹ in its Implementing Decision (EU) 2022/382², which set out the categories of displaced persons entitled, in the Union, to temporary protection or adequate protection under national law.
- (3) A driving licence enhances the mobility of its holder and facilitates everyday life as it allows for the driving of power-driven vehicles. A certificate of professional competence is required to work as a professional driver for the transport of goods and passengers for an undertaking established in the European Union. In the given context, both documents promote the participation of persons enjoying temporary protection or adequate protection under national law in economic and social activities in their new environment.
- (4) In accordance with Annex XXXII to the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part³, Ukraine has approximated its laws to the provisions of Directive 2003/59/EC of the European Parliament and of the Council⁴, in particular in order to allow the issuing of the corresponding certificates of professional competence to bus and truck drivers engaged in international operations.

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).

² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection (OJ L 71, 4.3.2022, p. 1).

³ OJ L 161, 29.5.2014, p. 3.

⁴ 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, p. 4).

- (5) The Convention on Road Traffic concluded at Vienna in 1968 ('the Convention on Road Traffic 1968'), to which Ukraine is a party, provides for certain rules which allow for the recognition of driving permits under certain conditions; however, not all Member States are Parties to that convention. In addition, there is currently no harmonised Union framework for the exchange of driving licences or certificates of professional competence issued by third countries such as Ukraine. The requirements related to a possible exchange of driving licences are mostly laid down in the national legislation of Member States, or under existing bilateral agreements between those Member States and Ukraine. Diverging requirements between the different Member States of the Union, particularly as regards the recognition of driving licences and certificates of professional competence, may adversely affect the life and the freedoms of the displaced persons fleeing from the military aggression of Russia against Ukraine, at a time in which these persons are especially vulnerable.
- (6) In this context, it is therefore appropriate to have a common Union framework applicable to the recognition of driving licences issued by Ukraine and held by persons enjoying temporary protection or adequate protection under national law. To reduce the burden on the authorities of the Member States and on people enjoying temporary protection or adequate protection under national law, driving licences duly issued by Ukraine to those persons should be recognised for as long as the period of their temporary protection lasts, without the need for their holders to exchange them.
- (7) The Convention on Road Traffic of 1968 requires the holders of driver permits to present international driving permits for their rights to drive to be recognised in certain cases. They may also be required to present a certified translation of the holder's driving licence. These requirements constitute a disproportionate burden on the people displaced from Ukraine which is unlikely to be complied with in many cases. Therefore, the presentation of such documents should not be required on the territory of the Union from persons enjoying temporary protection or adequate protection under national law. **That recognition should be without prejudice to the application of criminal and police rules, subject to the principle of territoriality.**

- (8) Despite the fact that Ukraine has already approximated its national law to Directive 2003/59/EC for drivers engaged in international transport operations, Ukrainian professional drivers looking to work for road transport undertakings established in the Union still need to ~~obtain a certificate of professional competence issued~~ **follow the appropriate qualification and training** in a Member State. It should therefore be possible for Member States ~~that intend to issue a specific certificate of professional competence to persons enjoying temporary protection or adequate protection under national law and holding certificates of professional competence issued by Ukraine in accordance with the Ukrainian national legislation to issue a~~ **the** driver qualification card as referred to in Directive 2003/59/EC, or to mark the special temporary Union code '95.01(**max 06.03.2025**)' on the relevant driving licence, to ~~the persons concerned~~ **enjoying temporary protection or adequate protection under national law and holding the driver qualification card issued by Ukraine in accordance with the Ukrainian national legislation for the purpose of giving to the persons concerned rights on a temporary basis similar to** ~~the same rights~~ to a holder of a certificate of professional competence issued by Ukraine as defined in Article 2(b) as those of the persons qualified to carry out the activity of driving covered by Article 1 of Directive 2003/59/EC. To this end, Member States ~~should~~ **may** adopt national rules laying down the scope and duration of a complementary compulsory training and of a subsequent test, in order to ensure that the persons concerned meet the standards ~~relating to initial qualification and periodic training as defined in~~ **of** Directive 2003/59/EC. In case of a declaration of loss or theft of a ~~certificate of professional competence~~ **driver qualification card issued by Ukraine**, Member States should also ~~be in a position to~~ **be in a position to** verify, including with the competent authorities of Ukraine, that the person concerned holds a valid certificate of professional competence issued by Ukraine, ~~prior to issuing of that specific certificate of professional competence.~~ **As a complementary measure, the special temporary Union code may also be marked on the driver attestation issued for the driver.**

- (9) As driving licences and ~~certificates of professional competence~~ **driver qualification cards** usually have a limited period of validity, they need to be regularly renewed. The current context does not allow Ukraine to carry out their tasks in a normal fashion, which is why they may not be in a position to renew existing administrative documents. Member States should therefore **take into account information that Ukraine may provide to them and to the Commission by official channels.** ~~recognise any possible decisions adopted or to be adopted by Ukraine to renew driving documents whose validity has expired or will expire, for as long as the period of temporary protection lasts. Ukraine should adequately inform the Union and its Member States of such decisions.~~
- (10) The circumstances of fleeing war often entail the loss or theft of driving licences, or their leaving behind in the war zone without an immediate possibility of recovering them. In such cases, Member States should be allowed to issue temporary driving licences that replace the original ones for the duration of the temporary protection, provided that the competent authorities of the Member States are in a position to verify the information provided by the displaced persons, e.g. by accessing the national registers of Ukraine. Such documents should be mutually recognised in the Union, and their administrative validity should not exceed the duration of the temporary protection.
- (10a) The issuance of temporary driving licences in case of lost or stolen Ukrainian driving licences and the establishment of complementary compulsory trainings for holders of the driver qualification cards issued by Ukraine are optional measures that might require proportionate national implementing measures. Such national measures should be adopted in accordance with the relevant procedures set in each Member State .**

- (11) The fight against fraud and forgery is instrumental in maintaining road safety and law enforcement. ~~In this respect, coordination mechanisms should be established for an efficient fight against fraud and forgery as part of the implementation of this Regulation~~The implementation of this Regulation should therefore be accompanied by administrative cooperation between Ukraine and the Union for the purpose of supporting the verification of the validity and authenticity of driver documents issued by Ukraine.
- (12) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union shall adopt measures in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (13) To minimise the administrative burden on Member States and avoid multiple renewals, the date recorded on driver documents issued in accordance with this Regulation should correspond to the current maximum possible duration of the temporary protection in respect to displaced persons from Ukraine, taking into account the possible extensions thereof pursuant to Article 4 of Directive 2001/55/EC. However, notwithstanding the date recorded on these documents, their administrative validity should correspond to the duration of the temporary protection.**
- (14) In view of Russia’s invasion of Ukraine and the urgency to lay down specific and temporary measures concerning driver documents issued by Ukraine in accordance with its legislation, it is considered to be appropriate to invoke the exception to the eight-week period provided for in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the TEU, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.**

(15) In view of the need to lay down specific and temporary measures concerning driver documents issued by Ukraine in accordance with its legislation without delay, this Regulation should enter into force as a matter of urgency on the fifth day following that of its publication in the Official Journal of the European Union.

(16) In view of the exceptional circumstances that justify this Regulation and the specific objectives pursued, it is appropriate that its application is limited in time,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject-matter

This Regulation lays down specific and temporary measures applicable to driver documents issued by Ukraine in accordance with its legislation and held by persons enjoying temporary protection or adequate protection under national law in accordance with Directive 2001/55/EC and Implementing Decision (EU) 2022/382.

Article 2

Definitions

For the purposes of this Regulation, “driver documents” means:

- (a) driving licences issued by Ukraine, proving the conditions under which a driver is authorised to drive under the law of Ukraine;
- (b) ~~certificates of professional competence~~ **driver qualification cards** issued by Ukraine in accordance with its national legislation adopted to implement Directive 2003/59/EC, pursuant to Article 368(1) and Annex XXXII to the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, to drivers of the road vehicles engaged in the international carriage of goods or passengers by road falling under the scope of that Directive.

Article 3

Recognition of driving licences issued by Ukraine

1. Valid driving licences issued by Ukraine shall be recognised in the territory of the Union when their holders enjoy temporary protection or adequate protection under national law in accordance with Directive 2001/55/EC and Implementing Decision (EU) 2022/382, ~~at least~~ until the moment when the temporary protection ceases to apply. **That recognition is without prejudice to the application of national provisions on the restriction, suspension, withdrawal or cancellation of the right to drive on the territory of that Member State, in accordance with the principle of territoriality of criminal and police laws.**

2. Where a person enjoying temporary protection or adequate protection under national law is in possession of a driving licence as referred to in paragraph 1, Member States shall not require the presentation of its certified translation nor of the international driving permit referred to in Article 41(~~1~~2) of the Convention on Road Traffic concluded at Vienna in 1968. **Member States may require the presentation of a passport or document of temporary residency or other adequate document in order to verify the identity of the holder of the driving licence.**

Article 4

***Driver qualification cards and driver attestations* ~~*Certificates of professional competence*~~**

1. Upon request from a holder of a ~~certificate of professional competence~~ **driver qualification card** issued by Ukraine as defined in Article 2(b) who enjoys temporary protection or adequate protection under national law in accordance with Directive 2001/55/EC and Implementing Decision (EU) 2022/382, the Member State where that holder has been granted a temporary residence permit or the Member State where that holder enjoys adequate protection under national law may:

- (a) mark, by way of derogation to point 12 of Annex I of Directive 2006/126/EC, a special temporary Union code '95.01(max 06.03.2025)', **which means “Driver holding a CPC meeting the obligation of professional aptitude – special issuance only for the duration of temporary protection”** followed by its date of expiry in field 12 of side 2 of the driving licence of the person concerned, provided that that **licence is person holds** a Union model driving licence issued by that Member State; or
- (b) issue a driver qualification card to that person with a special temporary Union code '95.01(max 06.03.2025)' followed by its date of expiry in field 10 of side 2 of that driver qualification card as referred to in Article 10(1) of Directive 2003/59/EC.

By way of derogation from Article 10(2) of Directive 2003/59/EC, a driver enjoying temporary protection or adequate protection under national law who holds a driver qualification card issued by Ukraine for the carriage of goods by road shall also be allowed to prove that he or she has the qualification and training referred to in paragraph 4 of this Article by means of the driver attestation provided for in Regulation (EC) No 1072/2009, provided that it bears the special temporary Union code '95.01(max 06.03.2025)'.

For the purpose of this Regulation, the issuing Member State shall indicate the special temporary Union code '95.01(max 06.03.2025)' in the remarks section on the driver attestation, in accordance with Article 5 of Regulation (EC) 1072/2009, if the holder concerned has fulfilled the training and test requirements and the minimum standards of physical and mental fitness provided for in this Article.

~~Such driver qualification cards shall only be issued and such driving licences shall be marked only when their holders enjoy temporary protection or adequate protection under national law in accordance with Directive 2001/55/EC and Implementing Decision (EU) 2022/382.~~

2. The driver qualifications cards, **driver attestations** and the mark on the driving licences referred to in paragraph 1 points (a) and (b) **in the first and second subparagraph of paragraph 1 of this Article** shall be mutually recognised in the territory of the Union. The holders of such driver qualification cards, ~~or such marked-driving licenses~~ **marked with the special temporary Union code '95.01(max 06.03.2025)'** or such driver attestations **marked with the special temporary Union code '95.01(max 06.03.2025)'** shall be considered as fulfilling the requirement of compulsory initial qualification necessary to carry out the activity of driving laid down by Article 3 of Directive 2003/59/EC.

3. **Without prejudice to any future acts of the Union concerning the duration of the temporary protection, by way of derogation from points 4(b) and 11 of Annex I to Directive 2006/126/EC and point 4(b) of Annex II to Directive 2003/59/EC, the expiry date on such driver qualification cards or attached to the special temporary Union code marked on the driving licences shall be 6 March 2025.**

However, notwithstanding that date marked on those documents, their administrative validity shall correspond to the duration of the temporary protection in respect of displaced persons from Ukraine, as referred to in Article 4 of Directive 2001/55/EC, or of the adequate protection under national law of the holder, or of the period of validity of the driving licence, whichever ends earliest. The holder shall be adequately informed of such a limitation.

~~The administrative validity of such driver qualification cards or attached to the special temporary Union code marked on the driving licences shall not exceed the duration of the temporary protection in respect of displaced persons from Ukraine, as referred to in Article 4 of Directive 2001/55/EC, the duration of the temporary protection or of adequate protection under national law of the holder, nor the period of validity of the driving licence, whichever is earliest.~~

~~In the event that the temporary protection is extended in accordance with Article 4 of Directive 2001/55/EC, a document issued in accordance with paragraph 1 shall be renewed accordingly by the Member State where the holder of the document has been granted a temporary residence permit or enjoys adequate protection under national law.~~

4. Prior to issuing the driver qualification card referred to in paragraph 1 or marking the special temporary Union code '95.01(max 06.03.2025)' on the driving licence referred to in paragraph 1, Member States shall require the holder of the ~~certificate of professional competence~~ **driver qualification card** referred to in ~~that~~ paragraph **1** to undergo a complementary compulsory training concluded with a test for the purpose of verifying that the driver has the level of knowledge required by section 1 of Annex I to Directive 2003/59/EC.

The duration of the complementary compulsory training shall **be at least 35 hours and shall not exceed 60 hours**, including at least ~~2,5~~⁴ hours of individual driving as specified in point 2.1 of Section 2 of Annex I to Directive 2003/59/EC. **Such training may take place in the form of compulsory periodic training as specified in section 4 of Annex I to Directive 2003/59/EC. Concerning the specific training needs to be taken into account in this context, an emphasis should be placed on the driver acquiring knowledge on rules in Regulation (EC) No 561/2006.**

At the end of that training, Member States' competent authorities or the entity designated by them shall test the driver in writing or orally **or by means of a computer based test in designated testing facilities.**

Member States shall inform the Commission of national rules adopted in accordance with this Article prior to issuing the driver qualification card or to marking the driving licence referred to in paragraph 1.

5. In the event of loss or theft of a ~~certificate of professional competence~~ **driver qualification card referred to** as defined in Article 2(b) held by a person enjoying temporary protection or adequate protection under national law in accordance with Directive 2001/55/EC and Implementing Decision (EU) 2022/382, the Member State where that person has been granted a temporary residence permit or enjoys adequate protection under national law may ~~verify~~, upon request of that person, **verify** including with the competent authorities of Ukraine, that that person is the holder of a valid certificate of professional competence issued by Ukraine in accordance with its national legislation and that that person is not in possession of a document marked or issued in accordance with paragraph 1 by another Member State.

After carrying out that verification, the Member State concerned may issue the driver qualification card or mark the special temporary Union code '95.01(max 06.03.2025)' on the driving licence, in accordance with the procedures set out in paragraphs 1 ~~to 4 and 2~~.

6. ~~Member States shall not renew a driver qualification card or the marking of the special temporary Union code '95.01' on a driving licence referred to in paragraph 1 when its holder no longer enjoys temporary protection or adequate protection under national law in accordance with Directive 2001/55/EC and Implementing Decision (EU) 2022/382.~~ **When a person referred to in paragraph 1 is not holding a Union model driving licence, Member States shall require an examination applying minimum standards of physical and mental fitness for driving in accordance with national law adopted to transpose Annex III to Directive 2006/126/EC prior to the issuance of a driver qualification card in accordance with the provisions of this Article.**
7. **When the period of application in respect of displaced persons from Ukraine, as referred to in Article 4 of Directive 2001/55/EC, has come to an end, the driver qualification cards and driver attestations issued by the Member States in accordance with this Article shall be null and void.**

Article 5

Extension of the validity of expired driver documents issued by Ukraine

Without prejudice to Articles ~~3, 4 and 6~~^{3, 4 and 6-1}, where Ukraine adopts decisions to extend the validity of expired driver documents it issued **having expired after 31 December 2021**, Member States shall, **for the purposes of Articles 3, 4 and 6, consider the holders of the relevant driver documents as being in possession of a valid document** recognise those decisions, provided that Ukraine informs **the Commission and the Member States of its decision to extend the validity of those licencesdriver documents. This information shall be communicated through appropriate official channels** Union and its Member States thereof.

Article 6

Lost or stolen driving licences issued by Ukraine

1. Where a person enjoying temporary protection or adequate protection under national law in accordance with Directive 2001/55/EC and Implementing Decision (EU) 2022/382 declares the loss or theft of his or her driving licence, the Member State where that person has been granted a temporary residence permit or enjoys adequate protection under national law shall ~~may~~ verify, upon request of that person, verify including with the competent authorities of Ukraine, the driving rights acquired by that person in conformity with the legislation applicable in Ukraine and that no other Member State has already issued a driving licence to that person in accordance with this Article, in particular to ascertain that the driving license has not been restricted, suspended or withdrawn.
2. By way of derogation to Article 11(6) of Directive 2006/126/EC, after carrying out the verification referred to in paragraph 1, a Member State may issue a driving licence of the same category or categories to the person concerned based on the Union model set out in Annex I to Directive 2006/126/EC. In this case, and by way of derogation to point 12 of Annex I of Directive 2006/126/EC, Member States shall introduce in the driving licence a special temporary Union code ‘99.01(max 06.03.2025)’ in field 12, which shall mean “*Special issuance valid only for the duration of temporary protection (lost or stolen UA licence)*”.

Upon carrying out the verification referred to in paragraph 1 of this Article and prior to issuing a driving licence referred to in this paragraph for categories AM, A1, A2, A, B, B1 and BE, Member States may require an examination applying the minimum standards of physical and mental fitness for driving in accordance with national law adopted to transpose Annex III to Directive 2006/126/EC.

Upon carrying out the verification referred to in paragraph 1 of this Article prior to issuing a driving licence referred to in this paragraph for categories C, CE, C1, C1E, D, DE, D1 and D1E, Member States shall require an examination applying the minimum standards of physical and mental fitness for driving set out in Annex III to Directive 2006/126/EC.

3. The driving licence referred to in paragraph 2 shall be mutually recognised in the Union. ~~Its~~ **Without prejudice to any future acts of the Union concerning the duration of the temporary protection, by way of derogation from points 4(b) and 11 of Annex I to Directive 2006/126/EC, the expiry date on such driving licence shall be 6 March 2025. However, notwithstanding that date marked on such driving licence, its** administrative validity shall ~~not exceed~~ **correspond to** the duration of the temporary protection in respect of displaced persons from Ukraine, as referred to in Article 4 of Directive 2001/55/EC, ~~or to~~ ~~nor~~ the duration of the temporary protection or of adequate protection under national law of the holder, whichever is earliest. **The holder shall be adequately informed of such a limitation.**

~~In the event that the temporary protection is extended in accordance with Article 4 of Directive 2001/55/EC, a driving licence issued in accordance with paragraph 2 shall be renewed accordingly by the Member State where the holder of the document has been granted a temporary residence permit or enjoys adequate protection under national law.~~

4. Where the verification referred to in paragraph 1 is not possible, the Member State in question shall not issue the driving licence referred to in paragraph 2. In that case, the Member State may issue a driving licence valid exclusively on its territory to the person concerned, in accordance with its national legislation, which shall be different from the model laid down in Annex I to Directive 2006/126/EC.

- 5. When the period of application temporary protection for displaced persons from Ukraine, as referred to in Article 4 of Directive 2001/55/EC, has come to an end, the driving licences issued by the Member States in accordance with this Article shall be null and void.**

- ~~5. Member States shall not renew a driving licence referred to in paragraph 2 in the event that its holder no longer enjoys temporary protection or adequate protection under national law in accordance with Implementing Decision (EU) 2022/382.~~

Article 7

Prevention of fraud and forgery

When applying this Regulation, Member States shall use all appropriate means to prevent and combat the fraud and forgery of driver documents, ~~including by verifying the rights attached to those documents.~~ **Member States may, at any moment, verify the validity of the driver documents issued by Ukraine. Member States may, in the event of a negative answer or absence of answer from the Ukrainian authorities consulted by them on the rights claimed by the holder of a driver document issued by Ukraine and when serious doubts as to the authenticity of the driver document exist which suggest that road safety could be endangered, refuse to recognise such a driver document.**

Member States shall not apply the provisions of this Regulation to driver documents issued by Ukraine in electronic format if they are not able to verify their authenticity, integrity and validity.

Article 7a

Monitoring

The Commission shall inform the European Parliament and the Council on the implementation of this Regulation, once every six months after the entry into force of this Regulation, mainly on the basis of information provided by the Member States to the Commission.

Article 8

Entry into force and application

1. This Regulation shall enter into force on the ~~twentieth~~ **fifths** day following that of its publication in the *Official Journal of the European Union*.
 2. This Regulation shall cease to apply on the day following that on which the period of application of temporary protection in respect of displaced persons from Ukraine, as referred to in Article 4 of Directive 2001/55/EC, has come to an end, in accordance with Article 6 of that Directive.
 3. This Regulation shall be binding in its entirety and directly applicable in all Member States.
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