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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	1 March 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
Subject:	RSB OPINION Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on driving licences, amending Directive (EU) 2022/2561 of the European Parliament and of the Council, Regulation (EU) 2018/1724 of the European Parliament and of the Council and repealing Directive 2006/126/EC of the European Parliament and of the Council and Commission Regulation (EU) No 383/2012

Delegations will find attached document SEC(2023) 350.

Encl.: SEC(2023) 350

EUROPEAN COMMISSION

18.11.2023

SEC(2023) 350

REGULATORY SCRUTINY BOARD OPINION

Revision of the Directive on driving licences

{COM(2023) 127-128} {SWD(2023) 128-129}

EUROPEAN COMMISSION

Regulatory Scrutiny Board

Brussels,

RSB/

Opinion

Title: Impact assessment / Revision of the Directive on driving licences

Overall opinion: POSITIVE

(A) Policy context
The EU has a common framework for driving licences that aims to facilitate free movement of EU citizens and improve road safety. The evaluation of Directive (EU) 2006/126 establishing these rules pointed to certain areas for improvement. This initiative aims to strengthen the contribution of the EU rules to reducing fatalities and serious accidents and to ensure sufficient alignment with the EU's current policy ambitions and the technological and market developments.

(B) Summary of findings
The Board notes the additional information provided and commitments to make changes to the report. The Board gives a positive opinion. The Board also considers that the report should further improve with respect to the following aspects: (1) The report does not provide sufficient explanation on the content and implications of certain measures. (2) The report does not sufficiently explain the feasibility of certain measures, in particular in respect of subsidiarity. (3) The report does not sufficiently justify the choice of the preferred option.

(C) What to improve
(1) The presentation of the measures and their implications should be improved. The option description should be detailed enough to allow a better understanding of the functionality of the measures and any trade-offs between different objectives.

(2) The report should better explain the feasibility of certain options as regards subsidiarity, for instance, on the mutual recognition of driving disqualification. It should explicitly present any subsidiarity issues and refer to the views of Member States on the measures considered.

This opinion concerns a draft impact assessment which may differ from the final version.

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(3) The report should better justify the choice of the preferred option. It should provide a more transparent comparison of options, in particular in terms of effectiveness and efficiency.

(4) The report should further clarify the impact analysis. It should be more explicit about the costs related to medical screening and explain whether these are (partially) covered by medical insurance schemes in the Member States. It should also more clearly distinguish between the administrative and adjustment costs, in particular in case of the costs for citizens.

The Board notes the estimated costs and benefits of the preferred option(s) in this initiative, as summarised in the attached quantification tables.

Some more technical comments have been sent directly to the author DG.

(D) Conclusion

The DG may proceed with the initiative.

The DG must take these recommendations into account before launching the interservice consultation.

Full title	Revision of Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences
Reference number	PLAN/2021/10346
Submitted to RSB on	12 October 2022
Date of RSB meeting	Written procedure

ANNEX – Quantification tables extracted from the draft impact assessment report

The following tables contain information on the costs and benefits of the initiative on which the Board has given its opinion, as presented above.

If the draft report has been revised in line with the Board's recommendations, the content of these tables may be different from those in the final version of the impact assessment report, as published by the Commission.

I. Overview of Benefits (total for all provisions) – Preferred Option (Policy option B)		
Description	Amount	Comments
Direct benefits		
Enforcement costs savings for Member States administrations, expressed as present value over 20252050, relative to the baseline	EUR 2.8 billion	Enforcement costs savings for Member States administrations are mainly driven by measures related to the mutual recognition of mobile driving licences, the possible introduction of a QR code on the physical licence in the areas reserved for microchips, and improvements and simplification of rules on administrative validity. In terms of present value over 2025-2050, the enforcement costs savings are estimated at EUR 2.8 billion.
Administrative costs savings for Member States administrations, expressed as present value over 20252050, relative to the baseline	EUR 2 billion	The introduction of the EU mobile driving licence expected to lead to administrative costs savings for Member States administrations estimated at EUR 2 million, expressed as present value over 2025-2050 relative to the baseline. These costs are related to the time spent to ensure that the physical licences are issued to the right person, and thus the time spent to validate the identity of the person to which a new licence is provided. When procedures are digitised, the time spent on such procedures and the associated costs are overcome.
Administrative costs savings for citizens, expressed as present value over 2025-2050, relative to the baseline	EUR 2.3 million	Administrative costs savings for citizens due to the introduction of rules to remove restrictions associated to automatic gear transmission, estimated at EUR 2.3 million expressed as present value over 2025-2050 relative to the baseline.
Adjustment costs savings for citizens, expressed as present value over 20252050, relative to the baseline	EUR 4.9 billion	Adjustment costs savings for citizens due to less frequent medical checks for drivers suffering of diabetes (every 10 years instead of 5) and changes in the rules for the consultation of the general practitioners for elderly people (above 70 years old), estimated at EUR 4.9 billion relative to the baseline (expressed as present value over

		2025-2050).
Hassle costs savings for citizens, expressed as present value over 20252050, relative to the baseline	EUR 1.7 billion	Hassle costs savings for citizens due to the introduction of the EU mobile driving licence, estimated at EUR 1.7 billion relative to the baseline (expressed as present value over 2025-2050).

Administrative costs savings for businesses, expressed as present value over 2025-2050, relative to the baseline	EUR 0.9 billion	The removal of the requirement to hold a licence of category C or D to obtain a licence of category CE or DE is expected to lead to administrative costs savings for professional drivers that benefit road transport operators. The administrative costs savings are estimated at EUR 0.9 billion relative to the baseline, expressed as present value over the 2025-2050 horizon.
Hassle costs savings for businesses, expressed as present value over 20252050, relative to the baseline	EUR 0.6 billion	The introduction of the EU mobile driving licences is estimated to lead to a reduction in hassle costs for the renewal of the category C and D licences. The C and D licences are mainly used by professional drivers and the costs savings, estimated at EUR 0.6 billion relative to the baseline (expressed as present value over 20252050), are thus expected to benefit transport operators, mainly SMEs in the road transport sector.

Improvement in the functioning of the internal market		Positive impact on the functioning of the internal market is expected due to the removal of unneccesary barriers for applicants and holders of driving licences and facilitating free movement of people, the main measure being an introduction of mobile driving licences. The common ISO/IEC 18013-5 standard will ensure interoperability of the mobile driving licences issued by each EU Member State and their recognition in the EU and abroad. Preferred option will also introduce measures allowing faster access to licences of category CE or DE for professional drivers across the EU which will reduce barriers for the access to driver profession. The rules related to the concept of normal residence will also help persons transferring their normal residence to another Member State.
Improvements related to the free movement of people		Preferred option is expected to contribute positively to the freedom of movement, and even if the number of persons facing unnecessary or unjustified procedures is rather low, consequences for an individual can be significant. Clarification of the concept of normal residence should solve the problem of determining the issuing authority just after the transfer of residence. Simplification of rules on administrative validity will put the holders of the EU driving licences on equal footing, regardless in which country they apply for or extent the licence. Mutual recognition of
		optional equivalences will allow holders of driving licences to enjoy rights granted by an optional equivalence also in other Member States applying the same rules.

Contribution to the fundamental rights and equal treatment of EU citizens		Preferred option will align DL Directive to the latest legislation on the protection of personal data through improvement of the network for exchange of information on driving licences RESPER and establishing the EU digital driving licence (PMc9). The use of the eIDAS features for the EU driving licence and EU Wallet for the storage and exchange of data will ensure a high level of security and privacy of the information handled. Mutual recognition of driving disqualifications will give procedural safeguards to non-resident drivers who commit road safety traffic offences and ensure that their fundamental rights are respected. It will also have a positive impact on the right of nondiscrimination, given it will provide flexibility for the first issuance of driving licences in case of restrictions related to languages which will allow applicants to choose where to take the tests.
Indirect benefits		
Reduction in the number of fatalities and serious injuries relative to the baseline (cumulative over 2025-2050)	1,153 lives saved and 11,020 injuries avoided	Indirect benefit to society at large. Significant positive effects on road safety are expected, in particular due to the updated standards on skills and knowledge, the introduction of rules on training and probation period, with a probation period for novice drivers, the mutual recognition of driving disqualifications and the rules on medical screening and assessment. The impacts are estimated at 1,153 lives saved and 11,020 serious injuries avoided over the 2025-2050, relative to the baseline.
Reduction in external costs of accidents (fatalities and serious injuries), expressed as present value over 2025-2050, relative to the baseline	EUR 7.1 billion	Indirect benefit to society at large, due to the lives saved and injuries avoided. The reduction in the external costs of accidents is estimated at EUR 7.1 billion, expressed as present value over the 2025-2050 horizon (in 2021 prices) relative to the baseline.
Reduction in the use of plastic (polycarbonate), relative to the baseline	130 tonnes of plastic (polycarbonate) saved annually	Indirect benefit to society at large, from the introduction of digital driving licence by default from 2028 onwards that would result in approximatively 130 tonnes of plastic (polycarbonate) saved annually.

Administrative cost savings related to the 'one in, one out' approach		
Administrative costs savings for citizens, relative to the baseline (annual average)	EUR 0.1 million per year on average	Administrative costs savings for citizens are due to the introduction of rules to remove restrictions associated to automatic gear transmission. The annual average reduction in the number of practical driving tests is estimated at 1,184 relative to the baseline. The administrative costs savings are estimated at EUR 0.1 million on average per year, relative to the baseline.
Administrative costs savings for businesses, relative to the baseline (annual average)	EUR 48.5 million per year on average	Administrative costs savings for road transport operators, mainly SMEs, are due to the removal of the requirement to hold a licence of category C or D to obtain a licence of category CE or DE. The measure would lead to a reduction in the number of theoretical and practical driving tests, estimated at 510,474 on average per year relative to the baseline. The administrative costs savings are estimated at EUR 48.5 million per year on average, relative to the baseline.

II. Overview of costs – Preferred option *(Policy option B)*							
		Citizens/Consumers		**Businesses**		**Administrations**	
		One-off	**Recurrent**	**One-off**	**Recurrent**	**One-off**	**Recurrent**
	Direct adjustment costs, expressed as present value over 2025-2050, relative to the baseline	-	For citizens: EUR 663.6 to 1,106.6 million, due to screening of fitness to drive for drivers renewing their driving licence and vision test for applicants.	-	For general practitioners: EUR 57.7 million, for (online) training on physical and mental fitness.	For Member States administrations: EUR 14.3 million, for the development of an IT system for the mobile driving licences and the improvement of RESPER for the purpose of enforcement.	For Member States administrations: EUR 48.9 million, for maintenance of an IT system for the mobile driving licences and the development of (animated) videos for the driver hazard perception test. For the European Commission: EUR 0.7 to 1.1 million, for the establishment of an information platform for authorities to exchange on physical and mental fitness to drive and the development of an (online) training programme for general practitioners.
	Direct administrative costs, expressed as present value over 2025-2050, relative to the baseline	-	For applicants for a B category licence: EUR 52.5 million, related to the update of standards on skills and knowledge for the first issuance of a driving licence.	-	-	-	-
	Direct enforcement costs, expressed as present value over 2025-2050, relative to the baseline	-	-	-	-	-	For Member States administrations: EUR 26.3 million, for the investigation and notification of driving disqualifications.

Costs related to the 'one in, one out' approach							
Total	Direct adjustment costs, expressed as present value over 2025-2050, relative to the baseline	-	For citizens: EUR 663.6 to 1,106.6 million, due to screening of fitness to drive for drivers renewing their driving licence and vision test for applicants.	-	For general practitioners: EUR 57.7 million, for (online) training on physical and mental fitness.		
	Indirect adjustment costs	-	-	-	-		
	Administrative costs (for offsetting), expressed as present value over 2025-2050, relative to the baseline	-	For applicants for a B category licence: EUR 52.5 million expressed as present value over 2025-2050, or EUR 2.8 million on average per year related to the update of standards on skills and knowledge for the first issuance of a driving licence.	-	-		

Electronically signed on 18/11/2022 11:56 (UTC+01) in accordance with Article 11 of Commission Decision (EU) 2021/2121