Council of the European Union

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DRAFT STATEMENT OF THE COUNCIL'S REASONS

Subject:	Position of the Council at first reading with a view to the adoption of a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on driving licences, amending Regulation (EU) 2018/1724 of the European Parliament and of the Council and Directive (EU) 2022/2561 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 – Draft Statement of the Council's reasons

I. INTRODUCTION

1. On 1 March 2023, the Commission submitted to the European Parliament and to the Council the proposal for a complete overhaul of the Directive on Driving licences, the 4th reform of this Directive. The proposal was part of the Commission's REFIT initiatives and of the 'road safety package'.
2. The Council agreed on a General Approach on 4 December 2023.1
3. The European Parliament adopted its first reading position on 28 February 2024. For the Parliament's 10th term, Ms Jutta PAULUS (Greens/EFA, DE) was appointed as rapporteur.
4. The negotiations started with a first trilogue on 22 October 2024, followed by trilogues on 11 December 2024 and 18 February 2025. During the fourth trilogue on 24 March 2025 the negotiators found a political agreement.
5. On 30 April 2025, the COREPER analysed the final compromise text with a view to agreement and confirmed it.
6. On 14 May 2025, the TRAN Committee's Chair sent a letter to the Chair of the COREPER confirming that, should the Council approve the agreed text at first reading, after legal-linguistic revision, the Parliament would approve the Council's position in its second reading.

II. OBJECTIVE

7. The overall objectives of the proposal are to further improve road safety and to facilitate the free movement of citizens within the EU. The main components of the reform in support of these objectives are:
   a. the introduction of a "mobile" (i.e. digital) driving licence,
   b. a step towards harmonising the medical screening processes applied in the Member States,
   c. a scheme for accompanied driving with a licence from the age of 17,
   d. a probationary period for novice drivers,
   e. weight allowance concerning the maximum laden mass of fully electric passenger cars,

[1] ST 16345/23.

f. easier access to licences of citizens moving from one Member State to another, and a centralised evaluation of the road transport framework of a third country in view of exchanges of driving licences in a Member State, and

g. updating of the test requirements for obtaining a driving licence and of the minimum requirements of the driver's fitness to drive.

III. ANALYSIS OF THE COUNCIL'S POSITION AT FIRST READING

1. Procedural context

8. On the basis of the Commission proposal, the Parliament and the Council conducted negotiations with the aim of agreeing on the Council's first-reading position, resulting in an early second reading agreement. The text of the draft Council position fully reflects the compromise reached between the two co-legislators.

2. Summary of the main issues

9. The Council's position at first reading on the various reform elements listed under point 7, after agreement between the co-legislators, is the following:

10. For the phasing-in of the mobile driving licence (Art. 3 and 5), the two institutions found a compromise on the timeline and on safeguards for citizens who prefer the physical document or need one later, for instance for driving in third countries. The Council also agreed on specific data protection provisions.

11. The Council largely maintained its position from the general approach on the outline of minimum requirements for the screening of the physical and mental fitness to drive prior to the issuance and renewal of driving licences, based on different systems that developed in the Member States (Art. 11). At first issuance of a driving licence, the applicant must undergo a medical examination or, for motorcycle and passenger car categories, fill in a self-assessment. For the monitoring of the fitness after first issuance of a driving licence for motorcycles or passenger cars, an alternative option is that Member States have a national system in place which ensures a reaction to significant changes in the physical or mental fitness. The Council accepted several additions from the Parliament which are compatible with this approach.

12. The negotiations on the accompanied driving scheme for 17-years-old drivers were linked to a larger discussion on minimum ages and professional driving. The Council, on the one hand, maintained its position from the general approach that the accompanied driving scheme for heavy duty vehicles should remain voluntary, with automatic mutual recognition across borders. On the other hand, the Council accepted a more coherent listing of the existing minimum ages in Art. 7 and an alignment of minimum ages for larger bus categories after obtaining a certificate of professional competence, subject to a safeguard concerning drivers between the age of 21 and 23 years (Art. 27 of the Directive).
13. Regarding the probationary period for novice drivers (Art. 18), the Council accepted several provisions outlining Member State measures to improve road safety in this group, as well as a reference to zero tolerance policies applied by Member States. The Council maintained its position that the harmonised conditions for novice drivers should not result in a regulation at Union level of driver behaviour, which is a competence of the Member States.
14. With regard to weight limitations per licence category for alternatively fuelled vehicles (Art. 9 (2)(j)), the Council maintained its position, aligned with the Commission proposal, but accepted the possibility to add a trailer (subject to training if the overall weight exceeds 4 250 kg), and an equivalence for alternatively fuelled passenger cars linked with a heavy trailer (category BE; Art. 9 (2)(j)), as well as a shorter transposition time of two years (Art. 29(2)). The Commission accepted to review the provisions in accordance with technological advancements.

15. The negotiation on weight limits covered additional aspects which the Parliament had put a focus on to increase flexibility in special cases (Art. 6, 7, 9). The Council, which already provided for flexibility in respect of motor caravans in its general approach, agreed to allow, in category B, a combination with a trailer up to a combined weight 5 000 kg, subject to additional driver training or testing. The Council's weight allowance in category B for ambulances was merged into a broader set of rules for emergency vehicles. While the Council accepted more flexibility as regards the maximum weight (up to 5 000 kg) and minimum ages in categories B and C, the Parliament accepted that driving with additional weight is subject to a test or training and that the rules are national measures, which are subject to mutual recognition. The Council also accepted the flexibility to drive empty buses with a category C licence to carry out test drives around roadworthiness test centres and repair shops (Art. 9(5)).

16. The Council moved towards Parliament and Commission by allowing more flexibility for examinees for driving passenger cars in selecting the test location, to overcome a language barrier after moving to another Member State (Art. 20(4)). For unhindered movement of citizens across borders, the Council also accepted that during a driving licence exchange or replacement, a new Article (Art. 14) ensures that citizens can always prove their driving rights across the Union. Regarding third country driving licences, the Council and the Parliament had very similar positions from the outset, both agreeing with the new concept of a Union-level evaluation of the road transport framework of a third country in view of exchanges of driving licences in a Member State (Art. 15). In this context, the Council could not accept a similar approach towards third country professional driver competence, but agreed that the Commission be tasked to assess the possible facilitation of recognising certificates of professional competence issued by third countries.

17. Both the Parliament and the Council retained several amendments in Annex II on driving tests and required knowledge and skills. This concerns for instance technological progress (advanced driver assistance systems, endurance braking systems, voluntary use of simulators, electrical motorbikes), additional focus on vulnerable road users (blind spots, alighting on the street side, attention to bike lanes) and process simplification (proving the proper handling of manual transmission vehicles). In Annex III concerning minimum standards of fitness for driving, the Parliament mostly accepted the additions of the Council, and Council accepted several additions of the Parliament.
18. Finally, the Council accepted, but in a more limited way, reporting requirements for Member States, which the Commission or the Parliament had advocated for (Art. 23). The Council maintained its position on a general transposition time of four years (Art. 29).

IV. CONCLUSION

19. The Council's position supports the aim of the Commission proposal and fully reflects the compromise reached in the informal negotiations between the Council and the European Parliament, with the support of the Commission.
20. The Council therefore believes that its position at first reading is a balanced representation of the outcome of the negotiations and that, once adopted, the new driving licences Directive will be an important contribution to improving road safety and the free movement of citizens in the EU.