



Brussels, 24 May 2017
(OR. en)

**Interinstitutional File:
2017/0015 (COD)**

**8596/1/17
REV 1**

**TRANS 155
CODEC 667
MI 359
EDUC 157
IA 66**

REPORT

From: General Secretariat of the Council
To: Council

No. prev. doc.: 6813/5/17 REV 5 TRANS 85 CODEC 290 MI 171 EDUC 97
No. Cion doc.: 5671/17 TRANS 28 CODEC 107 MI 91 EDUC 32 + ADD 1-4

Subject: Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences
– General approach

INTRODUCTION

1. On 1 February 2017, the Commission transmitted the above-mentioned proposal to the European Parliament and to the Council.
2. While, according to the Commission's assessment, Directive 2003/59/EC has been implemented without major problems, thus making a relevant contribution to road safety and to labour mobility, the proposal intends to address a number of shortcomings that had been identified between 2012 and 2014 in an *ex post* assessment.

3. The proposal aims to
 - improve mutual recognition of obligatory training undergone by professional drivers,
 - modernise training requirements and clarify their relation to training requirements laid down in other EU law,
 - reduce ambiguity as regards exemptions to the Directive's obligations, and
 - clarify minimum age requirements for driving that result from the application of Directives 2003/59/EC and 2006/126/EC, in order to ensure a harmonised application of EU rules.
4. Prior to the proposal under discussion, the Commission, on 14 December 2016, had proposed amendments regarding the regulatory procedure with scrutiny provided in this Directive and in Directive 2006/126/EC, as part of a horizontal proposal.¹
5. On 3 April 2017, the European Parliament's Committee on Transport and Tourism (TRAN) appointed Mr. Peter Lundgren (EFDD, SE) as rapporteur. The Committee on Employment and Social Affairs (EMPL) has decided not to give an opinion.
6. The Economic and Social Committee plans to adopt its opinion on 31 May 2017. The Committee of the Regions decided not to issue an opinion on the proposal.
7. The Romanian Parliament Senate has transmitted its opinion on the application of the principles of subsidiarity and proportionality by letter dated 26 April 2017².

¹ See doc. ST 5623/17 + ADD 1 REV 1.

² See doc. ST 8562/17 INIT.

WORK WITHIN THE COUNCIL

8. The Working Party on Land Transport started its examination of the proposal on 3 February 2017. It studied the Commission's impact assessment on 7 February 2017. Delegations generally acknowledged the suitability of this assessment to be used as the basis for regulatory proposals. Several delegations highlighted the importance of choosing a policy option to achieve mutual recognition of training accomplished in another Member State. More detail was requested on the administrative costs for issuing driver qualification cards to drivers from other Member States. Some delegations remarked that the impact assessment could have delved deeper with respect to comparing administrative requirements for EU-drivers with those for third country drivers. Several delegations expressed divergent views on the concept of "e-learning" and on the definition of exemptions to training requirements. Concerning the latter, the Presidency noted that the Commission had not provided a detailed analysis of excluding drivers carrying agriculture-related goods as part of their agricultural business (numbers affected, possible challenge to the Directive's objectives).
9. Between 14 March and 11 April 2017, the Presidency submitted a number of compromise documents in order to find common ground for some of the changes being proposed. The work undertaken by the Working Party is incorporated in the text presented in the annex.
10. The agreed amendments mainly concern the formulation and interpretation of exemptions, the procedure and instruments to be used in order to facilitate mutual recognition of completed driver training, the organisation of the driver training and transitional provisions.
- 10.a. On 24 May 2017, the Permanent Representatives Committee confirmed the compromise text and agreed to submit it to Council (TTE/Transport on 8 June 2017) for adoption of a general approach.

OUTSTANDING ISSUES

11. The Working Party has addressed all of the issues raised by delegations, arriving at a compromise text that appears to be acceptable to all delegations. With regard to exemptions, the Working Party was able to provide additional clarifications, while keeping certain terms open to interpretation, due to differing practices and circumstances in the Member States. One delegation reiterated its dissatisfaction with the compromise concerning the exemptions.
12. Several delegations expressed concern that the solution found for improving mutual recognition would involve considerable administrative costs. Other delegations would have preferred a more ambitious proposal that prepares for electronic exchange of information. One delegation sought additional clarification in respect of transitional provisions.³
13. Some delegations raised concerns in respect of the retention of a separate procedure that allows third country national drivers of vehicles carrying goods to continue to utilise their driver attestation, issued in accordance with Regulation (EC) No 1072/2009, as evidence of compliance with training requirements. The compromise text, however, sets out to improve the existing procedure through the mandatory insertion of a specific code on the driver attestation.
14. The Commission maintains at this stage of the procedure a general reservation on changes to its proposal, while generally welcoming the Council's efforts towards a general approach.

CONCLUSION

15. The Council is invited to agree on a general approach as set out in the annex to this document.

³ See the addendum to this report.

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences

(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,

¹ OJ C , , p. .

² OJ C , , p. .

Whereas:

- (1) In its White Paper of 28 March 2011³ the Commission sets out a 'vision zero' objective in which the Union should move close to zero fatalities in road transport by 2050.
- (2) The Commission, in its Communication on policy orientations on road safety for 2011-2020⁴, proposed to further halve the overall number of road fatalities in the Union by 2020, starting from 2010. With a view to reaching this goal, the Commission laid down seven strategic objectives, including improving the education and training of road users and the protection of vulnerable road users.
- (3) Having evaluated the implementation of Directive 2003/59/EC of the European Parliament and of the Council⁵, the Commission identified a number of shortcomings. The main shortcomings identified were difficulties and legal uncertainty in the interpretation of exemptions; the content of the training, which was found to be only partially relevant for drivers' needs; difficulties for drivers in obtaining mutual recognition of completed or partially completed training undergone in another Member State; and inconsistencies of minimum age requirements between Directive 2003/59/EC and Directive 2006/126/EC of the European Parliament and of the Council⁶.
- (4) In order to improve legal clarity in Directive 2003/59/EC all references to repealed or replaced Union acts should be removed or amended.

³ White Paper of 28 March 2011 'Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system' (COM(2011) 144 final).

⁴ Communication on 'Towards a European road safety area: policy orientations on road safety for 2011-2020' (COM (2010) 389 final)

⁵ 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).

⁶ Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ L 403, 30.12.2006, p. 18).

- (5) In order to provide certainty and consistency with other Union acts, a number of changes should be made to the exemptions to Directive 2003/59/EC, taking into account similar exemptions under Regulation (EC) 561/2006 of the European Parliament and of the Council⁷. Some of those exemptions relate to situations where driving is not the principal activity, for example where driving occupies less than 30 % of monthly working time, and where it would be a disproportionate burden for such persons to comply with the requirements of Directive 2003/59/EC.
- (5a) Those drivers who were exempted from initial qualification should, while maintaining this exemption, nonetheless be required to undergo periodic training to update their knowledge which is essential for their work.
- (6) Taking into account developments in training and education, and in order to enhance the contribution of Directive 2003/59/EC to road safety and the relevance of training for drivers, subjects relating to road safety, such as hazard perception, the protection of vulnerable road users, and fuel-efficient driving should be strengthened in the training courses.
- (7) Member States should be provided with a clear option to improve and modernise training practices with the use of ICT tools, such as e-learning and blended learning, for part of the training, while ensuring the quality of the training. A substantial amount of the training required under this Directive should be carried out at an approved training centre.
- (8) To ensure consistency between the different forms of training required under Union law, Member States should be provided with the possibility to combine different types of relevant training, such as training on the transport of dangerous goods, on disability awareness or on animal transport, with the training provided for in Directive 2003/59/EC.

⁷ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1).

- (9) To prevent differing practices between Member States from impeding mutual recognition and restricting the right of drivers to undergo the periodic training in the Member State where they work, Member State authorities should be required to issue the relevant document for every driver who fulfils the requirements of Directive 2003/59/EC. The document should be mutually recognised, including during roadside inspections. This minimum documentation requirement should not hamper further development in Member States' cooperation in this field through electronic recording and exchange of information.
- (9a) The use of driver attestations by drivers from third countries as evidence of compliance with the training requirements could present an obstacle for drivers when the haulier returns the attestation to the issuing authorities, particularly when these drivers wish to take up employment in another Member State. To avoid situations where, under such circumstances, drivers would have to repeat their training when taking up new employment, Member States should be encouraged to cooperate and exchange information on driver qualifications.
- (9b) To allow a smooth transition, valid driver attestations and valid driver qualification cards issued in accordance with the rules applying before the application of the amended provisions should be recognised until their expiry date. The amendments do not invalidate the training undergone, or the driving licences issued to certify such training, prior to their application.
- (10) In order to provide legal clarity and ensure harmonised minimum age requirements for the purposes laid down in Directive 2003/59/EC, a clear derogation should be provided in Directive 2006/126/EC, stipulating that driving licences may be issued at the minimum ages provided for in Directive 2003/59/EC. This clarification concerns the general minimum age for drivers of certain vehicle categories holding a CPC and does not amend existing options for reducing, or providing exemptions to, such minimum age requirements.

- (10a) The amendments to Directive 2006/126/EC should be limited to those directly related to the revision of Directive 2003/59/EC. A more thorough analysis of the implementation and application of Directive 2006/126/EC, including the delineation between certain categories of vehicles, appears desirable and should be included in the upcoming review of Directive 2006/126/EC.
- (11) Since the objective of this Directive, namely the improvement of the EU-wide standard of initial qualification and periodic training for drivers of certain road vehicles for the carriage of goods or passengers, cannot be sufficiently achieved by the Member States but can rather, by reason of the cross-border nature of road transport and of the issues this Directive is intended to address, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.
- (12) Directives 2003/59/EC and 2006/126/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2003/59/EC is amended as follows:

- (1) in Article 1, the first and second indents are replaced by the following:

- "— vehicles for which a driving licence of category C1, C1+E, C or C+E, as defined in Directive 2006/126/EC of the European Parliament and of the Council(*), or a driving licence recognised as equivalent, is required,
- vehicles for which a driving licence of category D1, D1+E, D or D+E, as defined in Directive 2006/126/EC, or a driving licence recognised as equivalent, is required.

For the purposes of this Directive, the references to categories of driving licences containing a plus sign ('+') shall be read in accordance with the correspondence table set out in Annex III.

(*) Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ L 403, 30.12.2006, p. 18).";

(2) Article 2 is amended as follows:

(a) point (b) is replaced by the following:

"(b) vehicles used by, or under the control of, the armed forces, civil defence, the fire service, forces responsible for maintaining public order, and emergency ambulance services, when the carriage is undertaken as a consequence of the tasks assigned to those services;"

(b) points (d) to (g) are replaced by the following:

"(d) vehicles used in states of emergency or assigned to rescue missions, including vehicles used in the non-commercial transport of humanitarian aid;

(e) vehicles used for driving instruction and examination for any person wishing to obtain a driving licence or a CPC, in accordance with Article 6 and Article 8(1), provided that they are not being used for the commercial carriage of goods and passengers.

In addition, this Directive does not apply to a person wishing to obtain a driving licence or a CPC, in accordance with Article 6 and Article 8(1), when this person is undergoing additional driving training during workplace based learning, provided that the person is being accompanied by another person certified by a CPC, or a driving instructor, for the category of vehicle used for that purpose;

(f) vehicles used for non-commercial carriage of passengers or goods;

(g) vehicles carrying material, equipment or machinery to be used by the drivers in the course of their work, provided that driving the vehicles is not the drivers' principal activity.";

(c) The following paragraphs are added:

"Member States may exempt drivers of vehicles used, or hired without a driver, by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity, provided that driving the vehicle is not the driver's principal activity. Member States may make such exemptions subject to individual conditions on their own territories and, with the agreement of the Member States concerned, on the territory of another Member State.

Member States shall inform the Commission of the exemptions granted under this provision and the Commission shall inform the other Member States thereof.";

(3) Article 7 is amended as follows:

(a) the first paragraph is replaced by the following:

"Periodic training shall consist of training to enable holders of a CPC to update the knowledge which is essential for their work, with specific emphasis on road safety and the rationalisation of fuel consumption.";

(b) the third paragraph is replaced by the following:

"Periodic training shall be designed to expand on, and to revise, some of the subjects referred in section 1 of Annex I. It shall always include at least one road safety related subject and shall cover a variety of subjects. The training subjects shall take into account developments in the relevant legislation and technology and should, as far as possible, take into account specific training needs of the driver.";

(4) in Article 9, the first paragraph is replaced by the following:

"Drivers referred to in point (a) of Article 1 shall obtain the initial qualification referred to in Article 5 in the Member State in which they have their normal residence, as defined in Article 12 of Directive 2006/126/EC.";

(5) Article 10 is replaced by the following:

"Article 10

Union code

1. On the basis of the CPC referred to in Article 6 and the CPC referred to in Article 8(1), Member States' competent authorities shall mark, taking into account the provisions of Article 5(2) and (3) and Article 8, the harmonised European Union code 95 provided for in Annex I to Directive 2006/126/EC alongside the corresponding categories of licence:

- on the driving licence, and/or
- on the driver qualification card drawn up in accordance with the model shown in Annex II.

Where the competent authorities of the Member State where the CPC was obtained cannot mark the Union code on the driving licence, they shall issue the driver with a driver qualification card.

The driver qualification card issued by a Member State shall be mutually recognised. When the card is issued, the competent authorities shall check the validity of the driving licence for the category of vehicle concerned.

2. A driver referred to in point (b) of Article 1 who drives vehicles used for the carriage of goods by road shall also be permitted to prove that he or she has the qualification and training provided for in this Directive by means of the driver attestation provided for in Regulation (EC) No 1072/2009 of the European Parliament and of the Council(*) provided that it bears the Union code 95. For the purposes of this Directive, the issuing Member State shall indicate the Union code 95 in the remarks section of the attestation if the driver concerned has fulfilled the qualification and training requirements provided for in this Directive.

Driver attestations issued before [*OJ: insert the date mentioned in Art 3(1)*] in accordance with Article 5 of Regulation (EC) No 1072/2009, in particular paragraph 7 thereof, in view of certifying compliance with training requirements under this Directive which do not bear the Union code 95, shall be accepted as a proof of qualification until their date of expiry.

(*) Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L 300, 14.11.2009, p. 72).";

- (6) Annexes I and II are amended in accordance with the Annex to this Directive.

Article 2

Directive 2006/126/EC is amended as follows:

- (1) Article 4 is amended as follows:

- (a) Paragraph 4 is amended as follows:

- (i) in point (e), the third indent is replaced by the following:

– "the minimum age for categories C1 and C1E is fixed at 18 years;"

- (ii) in point (g), the second indent is replaced by the following:

– "the minimum age for categories C and CE is fixed at 21 years;"

(iii) in point (i), the second indent is replaced by the following:

- "the minimum age for categories D1 and D1E is fixed at 21 years;"

(iv) in point (k), the second indent is replaced by the following:

- "the minimum age for categories D and DE is fixed at 24 years;"

(b) the following paragraph is added:

"7. By way of derogation from the minimum ages laid down in points (g), (i) and (k) of Article 4(4) of this Directive, the minimum age for issuing a driving licence in category C, CE, D1, D1E, D or DE shall be the minimum age prescribed for the driving of such vehicles for holders of a CPC laid down in Article 5(2), the first paragraph of Article 5(3)(a)(i), the first paragraph of Article 5(3)(a)(ii) or point (b) of Article 5(3) of Directive 2003/59/EC respectively.

Where in accordance with the second paragraph of Article 5(3)(a)(i) or the second paragraph of Article 5(3)(a)(ii) of Directive 2003/59/EC a Member State authorises driving within its territory from a lower age, the driving licence shall only be valid on the territory of the issuing Member State until the licence holder has reached the relevant minimum age referred to in the first subparagraph of this paragraph and holds a CPC."

(2) In Article 15, the existing text becomes paragraph 1, and the following paragraph is added:

"2. The EU driving licence network may also be used for exchange of information about driving licences for purposes provided for in other Union legislation."

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [*OP: please insert the DATE calculated 24 months following the entry into force*]. They shall immediately communicate the text of those provisions to the Commission.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament

For the Council

The President

The President

A. Annexes I and II to Directive 2003/59/EC are amended as follows:

(1) Annex I is amended as follows:

(A) Section 1 is amended as follows:

(a) the second paragraph is replaced by the following:

"The minimum level of qualification shall be comparable at least to level 2 of the European Qualifications Framework as provided for in Annex II to Recommendation of the European Parliament and of the Council 2008/C 111/01(*).

(*) Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning (OJ C 111, 6.5.2008, p. 1).";

(b) point 1.2 is replaced by the following:

"1.2. Objective: to know the technical characteristics and operation of the safety controls in order to control the vehicle, minimise wear and tear and prevent disfunctioning:

limits to the use of brakes and retarder, combined use of brakes and retarder, making better use of speed and gear ratio, making use of vehicle inertia, using ways of slowing down and braking on downhill stretches, action in the event of failure, use of electronic and mechanical devices such as Electronic Stability Program (ESP), Advanced Emergency Braking Systems (AEBS), Anti-Lock Braking System (ABS), traction control systems (TCS) and in vehicle monitoring systems (IVMS) and other, approved for use, driver assistance or automation devices.";

(c) point 1.3, is replaced by the following:

"1.3. Objective: ability to optimise fuel consumption:

optimisation of fuel consumption by applying know-how as regards points 1.1 and 1.2, importance of anticipating traffic flow, appropriate distance and use of the vehicles momentum, steady speed, smooth driving style and appropriate tyre pressure.";

(d) the following point is inserted before the heading 'Licences C, C+E, C1, C1+E':

"1.3a. Objective: ability to anticipate, assess and adapt to risks in traffic:

to be aware of and adapt to different road, traffic and weather conditions, anticipate forthcoming events, adapt to the risks of traffic and recognise and adapt to dangerous situations, in particular related to size and weight of the vehicles and vulnerable road users, such as pedestrians, cyclists and powered two wheelers;

identify possible hazardous situations and properly interpret how these potentially hazardous situations may turn into situations where crashes can no longer be averted and selecting and implementing actions that increase the safety margins to such an extent that a crash can still be averted in case the potential hazards should occur.";

(e) point 1.4 is replaced by the following:

"1.4. Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox ratios according to vehicle load and road profile, use of automatic transmission systems, calculation of payload of vehicle or assembly, calculation of total volume, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity, types of packaging and pallets;

main categories of goods needing securing, clamping and securing techniques, use of securing straps, checking of securing devices, use of handling equipment, placing and removal of tarpaulins.";

(f) point 1.6 is replaced by the following:

"1.6. Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox-ratios according to vehicle load and road profile, use of automatic transmission systems, calculation of payload of vehicle or assembly, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity.";

(g) point 2.1 is replaced by the following:

"2.1. Objective: to know the social environment of road transport and the rules governing it:

maximum working periods specific to the transport industry; principles, application and consequences of Regulations (EC) No 561/2006(*) and (EU) No 165/2014(**) of the European Parliament and of the Council; penalties for failure to use, improper use of and tampering with the tachograph; knowledge of the social environment of road transport: rights and duties of drivers as regards initial qualification and periodic training.

(*) Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1).

(**) Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1).";

(h) point 3.7-is replaced by the following:

"3.7. Objective: to know the economic environment of road haulage and the organisation of the market:

road transport in relation to other modes of transport (competition, shippers), different road transport activities (transport for hire or reward, own account, auxiliary transport activities), organisation of the main types of transport company and auxiliary transport activities, different transport specialisations (road tanker, controlled temperature, dangerous goods, animal transport, etc.), changes in the industry (diversification of services provided, rail-road, subcontracting, etc.).";

(i) point 3.8 is replaced by the following:

"3.8. Objective: to know the economic environment of the carriage of passengers by road and the organisation of the market:

carriage of passengers by road in relation to other modes of passenger transport (rail, private car), different activities involving the carriage of passengers by road, disability awareness, crossing borders (international transport), organisation of the main types of companies for the carriage of passengers by road.";

(B) Section 2 is amended as follows:

(a) point 2.1 is replaced by the following:

"2.1. *Option combining both course attendance and a test*

Initial qualification must include the teaching of all subjects in the list under section 1. The duration of this initial qualification must be 280 hours.

Each trainee driver must drive for at least 20 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles as set out in Directive 2006/126/EC.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each driver may drive for a maximum of eight hours of the 20 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

Member States may allow part of the training to be delivered by the approved training centre by means of information and communication technology tools, such as e-learning, while ensuring that the proper quality of the training is maintained, and by selecting the subjects where information and communication technology tools can most effectively be deployed. In particular Member States shall require reliable user identification and appropriate means of control.

Member States may count specific training required under other Union legislation as part of the training. This includes, but is not restricted to, training required under Directive 2008/68/EC of the European Parliament and of the Council(*) for driving of dangerous goods, training on disability awareness under Regulation (EU) 181/2011 of the European Parliament and of the Council(**) and training on animal transport under Council Regulation (EC) 1/2005(***)

For the drivers referred to in Article 5(5) the length of the initial qualification must be 70 hours, including five hours of individual driving.

At the end of that training, Member States' competent authorities or the entity designated by them shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under section 1.

(*) Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

(**) Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

(***) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).";

(b) in point 2.2(b), the second subparagraph is replaced by the following:

"The vehicle used for the practical test must meet at least the requirements for test vehicles as defined in Directive 2006/126/EC.";

(C) Sections 3 and 4 are replaced by the following:

"Section 3: Accelerated initial qualification provided for in Article 3(2)

Accelerated initial qualification must include the teaching of all subjects in the list in section 1. Its duration must be 140 hours.

Each trainee must drive for at least 10 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles as set out in Directive 2006/126/EC.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each driver may drive for a maximum of four hours of the 10 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

The provisions of the fourth paragraph of point 2.1 shall also apply to the accelerated initial qualification.

For the drivers referred to in Article 5(5) the length of the accelerated initial qualification must be 35 hours, including two-and-a-half hours of individual driving.

At the end of that training, Member States' competent authorities or the entity designated by them shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under section 1.

Section 4: Compulsory periodic training provided for in point (b) of Article 3(1)

Compulsory periodic training courses must be organised by an approved training centre. Their duration must be of 35 hours every five years, given in periods of at least seven hours. The approved training centre may provide such periodic training, in part, on top-of-the-range simulators and by use of information and communication technology tools such as e-learning while ensuring that the proper quality of the training is maintained, and by selecting the subjects where information and communication technology tools can most effectively be deployed. In particular Member States shall require reliable user identification and appropriate means of control. At least one of the seven hour periods shall cover a road safety related subject. The content of the training shall take into account relevant legal and technological developments and should, as far as possible, take into account specific training needs of the driver. A range of different subjects should be covered over the 35 hours, including repeat training where it is shown that the driver needs specific remedial training.

Member States may consider counting the completed specific training required under other Union legislation for up to one of the stipulated seven hour periods. This includes, but is not restricted to, training required under Directive 2008/68/EC for driving of dangerous goods, training on animal transport under Regulation (EC) 1/2005, and for the carriage of passengers training on disability awareness under Regulation (EU) 181/2011.";

(2) Annex II is amended as follows:

(A) the title is replaced by the following:

"ARRANGEMENTS FOR THE EUROPEAN UNION MODEL FOR A DRIVER QUALIFICATION CARD";

(B) Section 2 is amended as follows:

(a) concerning side 1 of the driver qualification card:

(i) in point (d), point (9) is replaced by the following:

"9. the categories of vehicles for which the driver satisfies the initial qualification and periodic training requirements;"

(ii) in point (e), the first sentence is replaced by the following:

"the title 'European Union model' in the language or languages of the Member State issuing the card and the heading 'driver qualification card' in the other official languages of the Union, printed in blue so as to form the background to the card:"

(b) concerning side 2 of the driver qualification card, in point (a) points (9) and (10) are replaced by the following:

"9. the categories of vehicles for which the driver satisfies the initial qualification and periodic training requirements;

10. the harmonised European Union code 95 provided for in Annex I to Directive 2006/126/EC";

(C) In Section 4 the heading of the model for a driver qualification card is replaced by the following: "EUROPEAN UNION MODEL FOR A DRIVER QUALIFICATION CARD". On side 2 of the model, under number 10, "Community code" is replaced by "Union code".

(D) The following section is added:

"5. Transitional provisions

Driver qualification cards issued before [*OJ insert: the date mentioned in Art 3(1)*] shall be valid until their date of expiry."

B. The following Annex is added:

"Annex III - Correspondence table for the references to certain categories of driving licences

<i>Reference in this Directive</i>	<i>Reference in Directive 2006/126/EC</i>
C+E	CE
C1+E	C1E
D+E	DE
D1+E	D1E

"
