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From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	6795/23 + ADD 1
Subject:	<p>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</p> <ul style="list-style-type: none">– Presidency compromise on:– Block 3: Articles 8, 10-13 + 17-18 + Annex I part E;– Block 4: Articles 14-16 + Annex II and IV.

In view of the meeting of the Working Group on Land Transport on 10 May 2023, delegations find attached Presidency suggestions for amending the proposal within ‘block 3’, under ANNEX 1 (page 2), and ‘block 4’, under ANNEX 2 (page 24).

Changes to the Commission proposal are visible in **bold underline** and ~~strikethrough~~.

Proposal on Driving Licences Directive

Presidency suggestions

BLOCK 3

Articles 8, 10-13, 17, 18, Annex I, PART E

Article 8

Conditions and restrictions

1. Member States shall mark driving licences issued to a person subject to one or more conditions under which he or she is authorised to drive. To that end Member States shall use the corresponding Union codes provided for in Annex I, Part E. They may also use national codes for conditions not covered by Annex I, Part E.

If, due to a physical incapacity, driving is authorised only for certain types of vehicles or for vehicles adapted in order to compensate for such incapacities, the test of skills and behaviour provided for in Article 10(1) shall be taken in such a vehicle.

2. The Commission is empowered to adopt delegated acts, in accordance with Article 21, to amend Annex I, Part E, where necessary in order to take account of technical, operational or scientific developments.

[...]

Article 10

Issue, validity and renewal

1. Driving licences shall be issued only to applicants who meet the following conditions:

- (a) they have passed a test of skills and behaviour and a theoretical test and who meet the minimum standards of physical and mental fitness for driving , in accordance with the provisions of Annexes II and III;
- (b) as regards category AM they have passed a theory test only; Member States may require applicants to pass a test of skills and behaviour and a medical examination for this category.

For three-wheel vehicles and quadricycles within this category, Member States may impose a distinctive test of skills and behaviour. For the differentiation of vehicles in category AM, a national code may be inserted on the driving licence;

- (c) as regards category A2 or category A, and on the condition that they have acquired a minimum of two years' experience on a motorcycle in category A1 or in category A2 respectively, either:
 - (i) passed a test of skills and behaviour only, or
 - (ii) completed a training pursuant to Annex VI;
- (d) they have completed a training or passed a test of skills and behaviour, or completed a training and passed a test of skills and behaviour pursuant to Annex V as regards category B for driving a vehicle combination referred to in Article 6(1), point (c)(ii), third paragraph;
- (e) they have their normal residence in the territory of the Member State issuing the licence, or can produce evidence that they been studying there for at least six months.

2. The duration of the administrative validity of driving licences issued by Member States shall be as follows:

- (a) 15 years for categories AM, A1, A2, A, B, B1 and BE. **Member States may reduce, by a maximum of 5 years, that duration in case their national legislation allows the driving licence to be also used as a personal identification document;**
- (b) five years for categories C, CE, C1, C1E, D, DE, D1 and D1E.

The renewal of a driving licence may trigger a new administrative validity period for another category or categories the licence holder is entitled to drive, insofar as this is in conformity with the conditions laid down in this Directive.

The presence of a microchip or QR code pursuant to Article 4(5) and Article 4(6) shall not be a prerequisite for the validity of a driving licence. The loss or unreadability of the microchip or of the QR code, or any other damage thereto, shall not affect the validity of the driving licence.

Member States may limit the period of administrative validity of driving licences issued to novice drivers within the meaning of Article 15(1), for any category in order to apply specific measures to such drivers, for the purpose of improving their road safety.

Member States may limit the period of administrative validity of individual driving licences for any category in case it is found necessary to apply an increased frequency of medical checks or other specific measures, including restrictions for traffic offenders.

Member States shall reduce the periods of administrative validity set out in the first subparagraph, points (a) and (b), to five years or less for driving licences of holders residing on their territory having reached the age of ~~70~~**75. In respect of driving licences for the categories mentioned in the first subparagraph, point (a), Member States shall reduce the periods of administrative validity for holders of driving licences having reached the age of 65 to five years plus the number of years remaining until the holders of the driving licenses reach the age of 75; for Member States which have reduced the validity period this should be adjusted accordingly,** ~~in order to apply an increased frequency of medical checks or other specific measures, including refresher courses.~~ This reduced period of administrative validity shall ~~only~~ be applied upon **issuance or** renewal of the driving licence. **Member States may decide to apply an increased frequency of medical checks, refresher courses or other road safety-related measures.**

Member States may reduce the period of administrative validity set out in paragraph 2 of driving licences of persons who have been granted a temporary residence permit or who enjoy temporary protection or adequate protection under national law on their territory. ~~For that purpose, this reduced period of administrative validity shall be equal to or shorter than the administrative validity of the temporary residence permit or of the temporary protection or adequate protection.~~

3. The renewal of driving licences when their administrative validity expires shall be subject to both of the following conditions:
- (a) continuing compliance with the minimum standards of physical and mental fitness for driving set out in Annex III;
 - (b) normal residence in the territory of the Member State issuing the licence, or evidence that the applicants has been studying there for at least six months, at the time they submit their application.
4. In case of a crisis Members States may extend the period of administrative validity of driving licences that would otherwise expire, for a maximum period of six months. The extension may be renewed where the crisis persists.

Any such extension shall be duly reasoned and notified immediately to the Commission. The Commission shall immediately publish this information in the *Official Journal of the European Union*. Member States shall recognise the validity of driving licences whose period of administrative validity has been extended under this paragraph.

Where a crisis affects several Member States, the Commission may adopt implementing acts in order to extend the period of administrative validity of all or certain categories of driving licences that would otherwise expire. That extension may not exceed six months and may be renewed where the crisis persists. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(3).

Where a Member State is not, and is not likely to be, affected by difficulties that rendered the renewal of driving licences impracticable as a consequence of the crisis referred to in the third subparagraph, or has taken appropriate national measures to mitigate the crises' impact, that Member State may decide not to apply the extension introduced by the implementing act referred to in the third subparagraph, after first informing the Commission. The Commission shall inform the other Member States thereof and publish a notice in the *Official Journal of the European Union*.

For the purposes of this paragraph, a crisis means an exceptional, unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union, with significant direct or indirect impacts on the area of road transport and that

also prevents or significantly impairs the possibility for the holders of driving licences or relevant national authorities from carrying out the necessary procedures for their renewal.

5. Without prejudice to national criminal and police laws, Member States may apply to the issuing of driving licences national provisions relating to conditions other than those referred to in this Directive. They shall inform the Commission thereof.
6. When issuing or renewing driving licences in categories AM, A, A1, A2, B, B1 and BE, Member States may require an examination applying the minimum standards of physical and mental fitness for driving set out in Annex III instead of the self-assessment laid down in point 3 of that Annex. In that case, the medical examination shall cover all the medical incapacities mentioned in Annex III.

The Commission shall adopt by [date-of-adoption+18 months] implementing acts setting out the content of the self-assessment referred to in point 3 of Annex III and covering all of the medical incapacities mentioned in that Annex. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

7. No person may hold more than one ~~physical~~ driving licence. **A mobile driving licence may be stored on several mobile devices.**¹ ~~A person may however hold several mobile driving licences, provided that these are issued by the same Member State.~~

~~No person may hold driving licences issued by more than one Member State.~~

A Member State shall refuse to issue a driving licence where it establishes that the applicant already holds a driving licence issued by another Member State.

Member States shall take the necessary measures for the purpose of applying the ~~third~~ **second** subparagraph. The necessary measures as regards the issue, replacement, renewal or exchange of a driving licence shall be to verify with other Member States where there are reasonable grounds to suspect that the applicant is already the holder of another driving licence. To that end, Member States shall use the EU driving licence network referred to in Article 19.

¹ **NOTE: The principle of ONE PERSON = ONE DRIVING LICENCE should be kept.**
Further discussion needed as regards the relation between physical and mobile DL and as regards the IT infrastructure behind mobile DL.

Without prejudice to Article 3(6), a Member State issuing a driving licence shall apply due diligence to ensure that a person fulfils the requirements set out in paragraph 1 of this Article, and shall apply its national provisions on the cancellation or withdrawal of the driving licence or of the right to drive if it is established that a licence has been issued without those requirements having been met.

8. The Commission is empowered to adopt delegated acts, in accordance with Article 21, to amend Annexes II, III, V and VI where necessary in order to take account of technical, operational or scientific developments.

Article 11

Exchange and replacement of driving licences issued by Member States

1. Where the holder of a valid driving licence issued by a Member State has taken up normal residence in another Member State, he or she may request that his or her driving licence be exchanged for an equivalent licence. The Member State performing the exchange shall check for which category the licence submitted is in fact still valid.
2. Subject to observance of the principle of territoriality of criminal and police laws, the Member State of normal residence may apply its national provisions on the restriction, suspension, withdrawal or cancellation of the right to drive to the holder of a driving licence issued by another Member State and, if necessary, exchange the licence for that purpose.
3. The Member State performing the exchange **of a physical driving licence** shall return the old licence to the authorities of the Member State which issued it and give the reasons for doing so.
4. A replacement for a **physical** driving licence which has been lost or stolen, **and a replacement of a physical or mobile driving licence of which a fraudulent use was made**, may only be obtained from the competent authorities of the Member State in which the holder has his or her normal residence. Those authorities shall provide the replacement on the basis of the information in their possession or, where appropriate, proof from the competent authorities of the Member State which issued the original licence.

Exchange of driving licences issued by third countries

1. Where a Member State provides for the exchange of a driving licence issued by a third country to a holder that has taken up normal residence in its territory, that Member State shall exchange the driving licence in accordance with the provisions of this Article.
2. Where a Member State exchanges a driving licence issued by a third country that has not been the object of an implementing decision referred to in paragraph 7, such exchange shall be recorded on the driving licence issued by that member State by way of marking the relevant code from Annex I, Part E, as shall any subsequent renewal or replacement. If the holder of that licence transfers his or her normal residence to another Member State, the latter need not apply the principle of mutual recognition set out in Article 3(6).

Member States shall apply, for such exchanges, the provisions of their national legislation, in accordance with the conditions provided for in this paragraph.

3. Where the driving licence is issued in a category and by a third country that has been the object of an implementing decision referred to in paragraph 7, such exchange shall not be recorded on the driving licence issued by the Member State concerned. In those cases, Member States shall exchange the driving licence in accordance with the conditions set out in the relevant implementing decision.
4. Where a driving licence issued by a Member State was exchanged for a driving licence issued by a third country, Member States shall not require the fulfilment of any additional conditions other than those set out in Article 10(3), first subparagraph, or record any additional information for exchanging that driving licence for a driving licence issued by them, as regards the categories of the initial driving licence.

In the situation referred to in the first subparagraph, where an applicant requests to exchange a driving licence that is also valid for categories concerning which he or she acquired the right to drive in a third country, the following rules shall apply:

- (a) if the driving licence was issued in a category and by a third country that has been the object of an implementing decision referred to in paragraph 7, paragraph 3 shall apply;

- (b) in the absence of such implementing decision, paragraph 2 shall apply.
5. The exchanges referred to in paragraphs 2, 3 and 4 shall only occur if the driving licence issued by the third country has been surrendered to the competent authorities of the Member State making the exchange.
6. The Commission may identify that a third country has a road transport framework guaranteeing, wholly or partially, a level of road safety that is comparable to the Union one, which allows for the driving licences issued by this third country to be exchanged without recording such exchange on the driving licences issued by Member States, if necessary after complying with certain pre-defined conditions.

Where the Commission identifies such a third country, it may assess the third country's road transport framework in cooperation with the Member States. Member States shall ~~have~~ **be given by the Commission at least** six months to provide their opinion on the road transport framework in place in the identified third country. The Commission shall proceed with the assessment once it has received an opinion from all Member States or once the time limit for sending the opinions has passed, whichever is ~~later~~ **earlier**.

When assessing the road transport framework in place in a third country the Commission shall take into account at least the following elements:

- (a) the driver licensing requirements in place, such as the classification of driving licence categories, minimum age requirements, training and driving tests' requirements and conditions, and medical standards for issuing the licence;
- (b) whether the third country issues mobile driving licences and if so, the applicable technical and structural details for operating the system;
- (c) the extent to which there are forged driving licences in circulation and what measures are taken to prevent forgery of, **and corruption in relation to,** driving licences;
- (d) the period of administrative validity of the driving licences issued by the third country;
- (e) the traffic conditions in the third country and whether they are comparable to the traffic conditions on the road networks in the Union;

(f) the road safety performance of the third country;

(g) the third country's policy towards accepting EU driving licences.

7. The Commission may, after conducting the assessment referred to in paragraph 6 and by means of implementing decisions, decide that a third country has a road transport framework in place that wholly or partially guarantees, a level of road safety that is comparable to the Union one for the driving licences issued by those third countries to be exchanged without recording such exchange on the driving licence issued by a Member State.

The implementing decision shall contain at least:

- (a) the driving licence categories referred to in Article 6, regarding which an exchange may be made without recording it on the driving licence issued by a Member State;
- (b) the dates of issuance of the third country driving licences, from which an exchange may be made without recording it on the driving licence issued by a Member State;
- (c) any general conditions to be complied with for the purpose of verifying the authenticity of the official document to be exchanged;
- (d) any general conditions the applicant has to comply with to demonstrate compliance with the medical standards laid down in Annex III, prior to the exchange.

Where the driving licence of the applicant does not allow compliance with the second subparagraph, points (a) or (b), of this paragraph, Member States may decide to exchange the driving licence in accordance with paragraph 2. Where the applicant is not able to comply with the second subparagraph, points (c) or (d), of this paragraph, Member States shall refuse to exchange the driving licence. Any additional condition that the implementing decision may contain shall provide for either the applicability of the national provisions of the Member State in accordance with paragraph 2, or for the refusal of the exchange of the driving licence, where such conditions are not complied with by the applicant.

The implementing decisions shall be adopted in accordance with the examination procedure referred to in Article 22(2).

8. The implementing decision referred to in paragraph 7 shall provide for a periodic review, at least every four years, of the road safety situation in the third country concerned. Depending on the conclusions of the review, the Commission shall maintain, amend or suspend, to the extent necessary, or repeal the implementing act referred to in paragraph 7.
9. The Commission shall publish in the Official Journal of the European Union and on its website a list of the third countries that have been the object of an implementing decision in accordance with paragraph 7, and shall also publish accordingly any relevant changes made in accordance with paragraph ~~9~~ 8.
10. The Commission shall establish a knowledge network to aggregate, process and disseminate knowledge and information on best practices for the integration of foreign professional drivers in the internal market. The network shall include relevant Members States authorities, centres of excellence, universities and researchers, social partners and other relevant actors of the road transport sector.

Article 13

Effects of a restriction, suspension, withdrawal or cancellation of the right to drive or driving licence

1. A Member State shall refuse to issue a driving licence to an applicant whose driving licence is restricted, suspended, withdrawn or cancelled in another Member State.
2. A Member State shall refuse to recognise the validity of any driving licence issued by another Member State to a person whose driving licence or right to drive is restricted, suspended, withdrawn or cancelled in the former Member State's territory.
3. A driving licence or the right to drive shall be considered as restricted, suspended, withdrawn, or cancelled for the purposes of this Article as long as the person concerned is yet to fulfil any conditions, imposed by a Member State, with which he or she must comply with in order to be able to recover his or her right to drive or driving licence or to be able to apply for a new one.

Member States shall ensure that any conditions they impose in order for the holder to be able to recover his or her right to drive or driving licence or to be able to apply for a new one are proportionate, non-discriminatory to holders of driving licences issued by any

other Member State and that they do not, by themselves, lead to an indefinite refusal to issue a driving licence or to recognise a driving licence issued by another Member State.

4. Nothing in this Article shall be understood as preventing Member States from banning a person from driving in their territories indefinitely without providing him or her the possibility to recover his or her right to drive or driving licence or to be able to apply for a new one, where this is justified on the basis of his or her conduct **or physical or mental fitness**.

Where a Member State, in accordance with this paragraph, has imposed an indefinite ban on driving, such Member State may refuse to recognise the validity of any driving licence, issued by another Member State, in its respective territory indefinitely. By way of derogation from paragraph 1 other Member States may, after consulting with the Member State imposing the indefinite driving ban, issue a driving licence to such a person.

[...]

Article 17

Normal residence

1. For the purposes of this Directive, normal residence shall be the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he or she is living.

However, the normal residence of a person whose occupational ties are in a different place from his or her personal ties and who consequently lives in turn in different places situated in two or more Member States shall be regarded as being the place of his or her personal ties, provided that such person returns there regularly. This last condition need not be met where the person is living in a Member State in order to carry out a task of a definite duration. Attendance at a university or school shall not imply transfer of normal residence.

2. For the purposes of Article 10(3), point (b) and Article 11(4), the normal residence of the staff of diplomatic services of the Union or of its Member States, or of the members of their families forming part of their households, shall be considered to be in the territory of the Member States that issued the driving licences that are being renewed or replaced.

For the purposes of this Article “diplomatic services of the Union” shall include officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from national diplomatic services of the Member States and any other employee or contractor working for the Union institutions, bodies, offices and agencies in the area of external representation and who, in order to be able to perform their contractual duties, have to live at least 181 days in the territory of one or several third countries in a calendar year.

3. Where the holder of a driving licence cannot prove the establishment of his or her normal residence in a given Member State under paragraph 1, the holder may as a last resource have his or her driving licence renewed **or replaced** in the Member State that originally issued it.
4. By way of derogation from Article 10(1), point (e) and for the specific purpose of the first issuance of a driving licence of category B, an applicant whose Member State of normal residence is different from his or her Member State of citizenship may have his or her driving licence issued by the latter, where the Member State of normal residence does not provide for the possibility to pass the theoretical or practical tests in one of the official languages of the Member State of citizenship or with an interpreter.

Article 18

Equivalences between non-Union standard model licences

1. Member States shall apply the equivalences established by Commission Decision (EU) 2016/1945² between entitlements obtained before 19 January 2013 and the categories set out in Article 6 of this Directive.
2. Any entitlement to drive granted before 19 January 2013 shall not be removed or in any way qualified by the provisions of this Directive.

² Commission Decision (EU) 2016/1945 of 14 October 2016 on equivalences between categories of driving licences (OJ L 302, 9.11.2016, p. 62).

ANNEX I

PROVISIONS CONCERNING DRIVING LICENCES ISSUED BY MEMBER STATES

NOTE: suggested changes concern codes 50 (editorial) and 65

PART E: UNION AND NATIONAL CODES

Codes 01 to 99 shall be harmonised European Union codes

DRIVER (medical reasons)

01	.	Sight correction and/or protection
	01.01.	Glasses
	01.02.	Contact lens(es)
	01.05.	Eye cover
	01.06.	Glasses or contact lenses
	01.07.	Specific optical aid
02		Hearing aid/communication aid
03		Prosthesis/orthosis for the limbs
	03.01.	Upper limb prosthesis/orthosis
	03.02.	Lower limb prosthesis/orthosis

VEHICLE ADAPTATIONS

10		Modified transmission
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	10.02.	Automatic selection of gear ratio
	10.04.	Adapted transmission control device
15		Modified clutch
	15.01.	Adapted clutch pedal
	15.02.	Hand operated clutch
	15.03.	Automatic clutch
	15.04.	Measure to prevent obstruction or actuation of clutch pedal
20		Modified braking systems
	20.01.	Adapted brake pedal
	20.03.	Brake pedal suitable for use by left foot
	20.04.	Sliding brake pedal
	20.05.	Tilted brake pedal
	20.06.	Hand operated brake
	20.07.	Brake operation with maximum force of ... N ³ (for example: '20.07(300N)')
	20.09.	Adapted parking brake
	20.12.	Measure to prevent obstruction or actuation of brake pedal
	20.13.	Knee operated brake
	20.14.	Brake system operation supported by external force

³ This force indicates the driver's capability for operating the system.

25		Modified accelerator system
	25.01.	Adapted accelerator pedal
	25.03.	Tilted accelerator pedal
	25.04.	Hand operated accelerator
	25.05.	Knee operated accelerator
	25.06.	Accelerator operation supported by external force
	25.08.	Accelerator pedal on the left
	25.09.	Measure to prevent obstruction or actuation of accelerator pedal
31		Pedal adaptations and pedal safeguards
	31.01.	Extra set of parallel pedals
	31.02.	Pedals at (or almost at) the same level
	31.03.	Measure to prevent obstruction or actuation of accelerator and brake pedals when pedals not operated by foot
	31.04.	Raised floor
32		Combined service brake and accelerator systems
	32.01.	Accelerator and service brake as combined system operated by one hand

	32.02.	Accelerator and service brake as combined system operated by external force
33		Combined service brake, accelerator and steering systems
	33.01.	Accelerator, service brake and steering as combined system operation by external force with one hand
	33.02.	Accelerator, service brake and steering as combined system operation by external force with two hands
35		Modified control layouts (lights switches, windscreen wiper/washer, horn, direction indicators, etc.)
	35.02.	Control devices operable without releasing the steering device
	35.03.	Control devices operable without releasing the steering device with the left hand
	35.04.	Control devices operable without releasing the steering device with the right hand
	35.05.	Control devices operable without releasing the steering device and the accelerator and braking mechanisms
40		Modified steering
	40.01.	Steering with maximum operation force of ... N ¹ (for example '40.01(140N)')
	40.05.	Adapted steering wheel (larger/thicker steering wheel section, reduced diameter, etc.)
	40.06.	Adapted position of steering wheel

¹ This force indicates the driver's capability for operating the system.

	40.09.	Foot operated steering
	40.11.	Assistive device at steering wheel
	40.14.	One hand/arm operated alternative adapted steering system
	40.15.	Two hand/arm operated alternative adapted steering system
42		Modified rear/side view devices
	42.01.	Adapted device for rear view
	42.03.	Additional inside device permitting side view
	42.05.	Blind spot viewing device
43		Driver seating position
	43.01.	Driver seat height for normal view and in normal distance from the steering wheel and the pedals
	43.02.	Driver seat adapted to body shape
	43.03.	Driver seat with lateral support for good stability
	43.04.	Driver seat with armrest
	43.06.	Seat belt adaptation
	43.07.	Seat belt type with support for good stability
44		Modifications to motorcycles (sub-code use obligatory)
	44.01.	Single operated brake
	44.02.	Adapted front wheel brake
	44.03.	Adapted rear wheel brake
	44.04.	Adapted accelerator

	44.08.	Seat height allowing the driver, in sitting position, to have two feet on the surface at the same time and balance the motorcycle during stopping and standing.
	44.09.	Maximum operation force of front wheel brake ... N ¹ (for example '44.09(140N)')
	44.10.	Maximum operation force of rear wheel brake ... N ² (for example '44.10(240N)')
	44.11.	Adapted foot-rest
	44.12.	Adapted hand grip
45		Motorcycle with side-car only
46		Tricycles only
47		Restricted to vehicles of more than two wheels not requiring balance by the driver for starting, stopping and standing

¹ This force indicates the driver's capability for operating the system.

² This force indicates the driver's capability for operating the system.

50		Restricted to a specific vehicle/chassis number (vehicle identification number, VIN)
Letters used in combination with codes 01 to 44 for further specification:		
a	left	
b	right	
c	hand	
d	foot	
e	middle	
f	arm	
g	thumb	

LIMITED USE CODES

60		Optional equivalences
	60.01.	The holder is granted the optional equivalence specified under Article 9, paragraph 3, point a)
	60.02.	The holder is granted the optional equivalence specified under Article 9, paragraph 3, point b)
	60.03.	The rights to drive entitled by category B1 are limited to the vehicles specified under Article 9, paragraph 4, point c)
61		Limited to day time journeys (for example: one hour after sunrise and one hour before sunset)
62		Limited to journeys within a radius of ... km from holder's place of residence or only inside city/region

63		Driving without passengers
64		Limited to journeys with a speed not greater than ... km/h
65		Driving authorised solely when accompanied by a holder of a driving licence of at least the equivalent category, <u>unless condition is covered by code 98.02</u>
66		Without trailer
67		No driving on motorways
68		No alcohol
69		Restricted to driving vehicles equipped with an alcohol interlock in accordance with EN 50436. Indication of an expiry date is optional (for example '69' or '69(01.01.2016)')

ADMINISTRATIVE MATTERS

70		Exchange of licence No ... issued by ... (EU/UN distinguishing sign in the case of a third country; for example '70.0123456789.NL')
71		Duplicate of licence No ... (EU/UN distinguishing sign in the case of a third country; for example '71.987654321.HR')
73		Restricted to category B vehicles of the motor quadricycle type (B1)
78		Restricted to vehicles with automatic transmission
79		Restricted to vehicles which comply with the specifications indicated in brackets, for the application of Article 19 of this Directive

	79.01.	Restricted to two-wheel vehicles with or without side-car
	79.02.	Restricted to category AM vehicles of the three-wheel or light quadricycle type
	79.03.	Restricted to tricycles
	79.04.	Restricted to tricycles combined with a trailer having a maximum authorised mass not exceeding 750 kg
	79.05.	Category A1 motorcycle with a power/weight ratio above 0,1 kW/kg
	79.06.	Category BE vehicle where the maximum authorised mass of the trailer exceeds 3 500 kg
80		Restricted to holders of a driving licence for a category A vehicle of the powered tricycle type not having reached the age of 24 years
81		Restricted to holders of a driving licence for a category A vehicle of the two-wheel motorcycle type not having reached the age of 21 years
95		Driver holding CPC meeting the obligation of professional aptitude provided for by Directive (EU) 2022/2561 until ... (for example '95(01.01.12)')
96		Category B vehicles combined with a trailer with a maximum authorised mass exceeding 750 kg where the maximum authorised mass of such combination exceeds 3 500 kg but does not exceed 4 250 kg

97		Not authorised to drive a category C1 vehicle which falls within the scope of Regulation (EU) No 165/2014 of the European Parliament and of the Council ¹ .
98		
	98.01	The driver is considered a novice driver and is subject to the conditions for the probationary period. In case the licence is exchanged, renewed or replaced, the code shall be complemented with the end date of the probationary period (for instance 98.01.13.04.2028)
	98.02	The holder shall comply with the conditions for the accompanied driving scheme until he or she reaches the age of 18 years old

Codes 100 and above shall be national codes valid only for driving in the territory of the Member State which issued the driving licence.

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 060 28.2.2014, p. 1).

BLOCK 4*Article 14***Accompanied driving scheme**

1. By way of derogation from Article 7(1), points (b) and (d) respectively, Member States shall issue driving licences, in accordance with Article 10(1), for categories B and, **provided the driver holds a Certificate of Professional Competence referred to in Article 6(1) of Directive (EU) 2022/2561, for category C or C1** marked with the Union code 98.02 specified in Annex I, Part E, to applicants who have reached the age of 17 years.
2. Holders of a driving licence marked with the Union code 98.02 who have not reached the age of 18 years shall only drive when accompanied by a person, **in the front passenger seat, who provides guidance and shall be able to step in as a driver at any time. The accompanying person shall** meets the following conditions:
 - (a) has a minimum age of 25 years;
 - (b) holds a driving licence of the relevant category issued more than five years ago;
 - (c) has not been subject to a driving disqualification over the last five years **in the Member State of issuance or in another Member State notified in accordance with Directive XX on the union-wide effect of certain driving disqualifications;**
 - (d) has not been subject to a decision in the field of criminal law resulting from a road-traffic related offence **in the Member State of issuance;**
 - (e) in the case of a vehicle of category C has the qualification and training provided by Directive (EU) 2022/2561.
3. Member States may require the identification of the accompanying persons referred to in the paragraph 2 in order to ensure compliance with this Article. Member States may limit the number of possible accompanying persons.

4. Member States may apply additional conditions for the issuance of a driving licence marked with the Union code 98.02 to applicants who have not reached the age of 18 years. They shall inform the Commission thereof. The Commission shall make this information available to the public.

Article 15

Probationary period

1. The holder of a driving licence **issued for the first time in categories AM, A, A1, A2, B and B1** ~~of a given category~~ issued for the first time shall be considered a novice driver and shall be subject to a probationary period **for such category** of at least two years.
2. Member States shall lay down rules on **specific** penalties for novice drivers who drive **under the influence of** ~~with a blood alcohol level exceeding 0.0g/mL~~ and take all measures necessary to ensure that they are implemented. Those penalties shall be effective, proportionate, dissuasive and non- discriminatory.
3. Member States may establish additional rules applicable on their territory to novice drivers during the probationary period to improve road safety. They shall inform the Commission thereof.
4. Member States shall mark driving licences issued during a probationary period with the Union code 98.01 specified in Annex I, Part E.
5. A probationary period shall not be applied to drivers obtaining a driving licence of category A2 or A in accordance with Article 10(1), point (c).

Article 16

Examiners

1. Driving examiners shall meet the minimum standards set out in Annex IV.

Driving examiners already working in that capacity before 19 January 2013 shall be subject only to the requirements concerning quality assurance and regular periodic training measures.

2. The Commission is empowered to adopt delegated acts, in accordance with Article 21, to amend Annex IV where necessary in order to take account of technical, operational or scientific developments.

ANNEX II

MINIMUM REQUIREMENTS FOR DRIVING TESTS AND KNOWLEDGE, SKILL AND BEHAVIOUR FOR DRIVING A POWER-DRIVEN VEHICLE

I. MINIMUM REQUIREMENTS FOR DRIVING TESTS

Member States shall take the necessary measures to ensure that applicants for driving licences possess the knowledge and skills and exhibit the behaviour required for driving a motor vehicle.

The tests introduced to this effect must consist of:

- a theory test;
- following successful participation in the theory test, a test of skills and behaviour.

The conditions under which these tests shall be conducted are set out below.

A. THEORY TEST

1. Form

The form chosen shall be such as to make sure that the applicant has the required knowledge of the subjects listed in points 2, 3 and 4.

Any applicant for a licence in one category who has passed a theory test for a licence in a different category may be exempt from the common provisions of points 2, 3 and 4.

2. Content of the theory test concerning all vehicle categories

Questions shall be asked on each of the topics listed in the following points, the content and form of the questions being left to the discretion of each Member State:

- (a) road traffic regulations:
 - in particular as regards road signs, markings and signals, rights of way and speed limits;
- (b) the driver:

- importance of alertness and of attitude towards other road users, including micro mobility users;
- general perception, including hazard perception, judgement and decision-taking, especially reaction time, as well as changes in driving behaviour due to the influence of alcohol, drugs and medicinal products, state of mind and fatigue;
- (c) the road:
 - the most important principles concerning the observance of a safe distance between vehicles, braking distances and road holding under various weather and road conditions;
 - driving risk factors related to various road conditions including perception and anticipation of hazards, in particular as they change with the weather and the time of day or night;
 - characteristics of various types of road and the related statutory requirements;
 - safe driving in road tunnels;
- (d) other road users:
 - specific risk factors related to the lack of experience of other road users, especially on vulnerable road users that enjoy a lesser degree of protection in traffic compared to users of motor vehicles such as cars, buses and lorries and who are directly exposed to the forces of collisions. This category includes pedestrians, cyclists, users of powered two-wheeled vehicles, users of personal mobility devices and persons with disabilities or reduced mobility and orientation.
 - risks involved in the movement and driving of various types of vehicles and of the different fields of view of their drivers, including vehicles with advanced driving assistance systems and other automation features;
- (e) general rules and regulations and other matters:
 - rules concerning the administrative documents required for the use of vehicles;
 - general rules specifying how the driver must behave in the event of an accident (setting warning devices and raising the alarm) and the measures which he can take to assist road accident victims where necessary;
 - safety factors relating to the vehicle, the load and persons carried;
 - knowledge safety aspects related to alternatively fuelled vehicles;
- (f) precautions necessary when alighting from the vehicle;
- (g) mechanical aspects with a bearing on road safety; applicants must be able to detect the most common faults, in particular in the steering, suspension and braking systems, tyres, lights and direction indicators, reflectors, rear-view mirrors,

windscreen and wipers, the exhaust system, seat-belts and the audible warning device;

- (h) vehicle safety equipment and, in particular, the use of seat-belts, head restraints, child safety equipment ~~and charging of electrical vehicles;~~

(ha) charging of electrical vehicles;

- (i) rules and aspects regarding vehicle use in relation to the environment, including as regards electrical vehicles: appropriate use of audible warning devices, moderate fuel/energy consumption, limitation of emissions (greenhouse gas emissions, air pollutants, noise and microplastics from tyre and road wear etc.).

3. **Specific provisions concerning categories A1, A2 and A**

Compulsory check of general knowledge on:

- (a) use of protective outfit such as gloves, boots, clothes and safety helmet;
- (b) visibility of motorcycle riders for other road users;
- (c) risk factors related to various road conditions as laid down above with additional attention to slippery parts such as drain covers, road markings such as lines and arrows, tram rails;
- (d) mechanical aspects with a bearing on road safety as laid down above with additional attention to the emergency stop switch, the oil levels and the chain.

4. **Specific provisions concerning categories C, CE, C1, C1E, D, DE, D1 and D1E**

(1) Compulsory check of general knowledge on:

- (a) rules on driving hours and rest periods as defined by Regulation (EC) No 561/2006 of the European Parliament and of the Council¹; use of the recording equipment as defined by Regulation (EU) No 165/2014;
- (b) rules concerning the type of transport concerned: goods or passengers;
- (c) vehicle and transport documents required for the national and international carriage of goods and passengers;
- (d) how to behave in the event of an accident; knowledge of measures to be taken after an accident or similar occurrence, including emergency action such as evacuation of passengers and basic knowledge of first aid;

¹ 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).

- (e) the precautions to be taken during the removal and replacement of wheels;
 - (f) rules on vehicle weights and dimensions; rules on speed limiters;
 - (g) obstruction of the field of view caused by the characteristics of their vehicles;
 - (h) reading a road map, route planning, including the use of electronic navigation systems (optional);
 - (i) safety factors relating to vehicle loading: controlling the load (stowing and fastening), difficulties with different kinds of load (for instance liquids, hanging loads, ...), loading and unloading goods and the use of loading equipment (categories C, CE, C1, C1E only);
 - (j) the driver's responsibility in respect to the carriage of passengers; comfort and safety of passengers; transport of children; necessary checks before driving away; all sorts of buses shall be part of the theory test (public service buses and coaches, buses with special dimensions, ...) (categories D, DE, D1, D1E only).
 - (k) Member States may exempt applicants to a licence for a category C1 or C1E vehicle outside the scope of Regulation (EU) No 165/2014 from demonstrating their knowledge of the subjects listed in points 4.(1) point (a) to 4.(1) point (c).
- (2) Compulsory check of general knowledge on the following additional provisions concerning categories C, CE, D and DE:
- (a) the principles of the construction and functioning of: internal combustion engines, fluids (for instance engine oil, coolant, washer fluid), the fuel system, the electrical system, the ignition system, the transmission system (clutch, gearbox, etc.);
 - (b) lubrication and antifreeze protection;
 - (c) the principles of the construction, the fitting, correct use and care of tyres;
 - (d) the principles of the types, operation, main parts, connection, use and day-to-day maintenance of brake fittings and speed governors, and use of anti-lock brakes;
 - (e) the principles of the types, operation, main parts, connection, use and day-to-day maintenance of coupling systems (categories CE, DE only);
 - (f) methods of locating causes of breakdowns;
 - (g) preventive maintenance of vehicles and necessary running repairs;
 - (h) the driver's responsibility in respect of the receipt, carriage and delivery of goods in accordance with the agreed conditions (categories C, CE only).

B. TEST OF SKILLS AND BEHAVIOUR

5. The vehicle and its equipment

(1) Vehicle transmission

- (a) The driving of a vehicle with manual transmission shall be subject to the passing of a skills and behaviour test taken on a vehicle with manual transmission.

‘Vehicle with manual transmission’ means a vehicle in which a clutch pedal (or lever operated manually for categories A, A2 and A1) is present and must be operated by the driver when starting or stopping the vehicle and changing gears.

- (b) Vehicles that do not meet the criteria laid down in point 5.(1) point (a) shall be considered to have automatic transmission.

Without prejudice to point 5.(1) point (c), if an applicant takes the test of skills and behaviour on a vehicle with automatic transmission this shall be recorded on any licence issued on the basis of such a test with the relevant Union code provided for in Annex I, Part E. **Applicants for driving licence categories A1, A2, A, B1, B or BE may complete a dedicated test of skills and behaviour or dedicated training in accordance with the following subparagraph before or after their practical driving test in order to avoid the inclusion of the Union code or seek its removal.** Licences with this indication shall be used only for driving vehicles with automatic transmission.

The Union code marked on a driving licence of category A1, A2, A, B1, B and BE issued on the basis of a test of skills and behaviour taken on a vehicle with automatic transmission shall be removed if the holder passes a dedicated test of skills and behaviour or completes a dedicated training.

Member States shall take the necessary measures to:

- (i) approve and supervise the dedicated training; or,
- (ii) organise the dedicated test of skills and behaviour.

Vehicles used for the training or the test covered by this point shall be with manual transmission and shall fall within the category of the driving licence for which the participants have applied for.

The length of the test of skills and behaviour and the distance travelled shall be sufficient to assess the skills and behaviour laid down in point 6 or 7 of this Annex with particular attention paid to the operation of the vehicle transmission.

The training shall contain all aspects covered in point 6 or 7 of this Annex with particular attention paid to the operation of the vehicle transmission. Each participant shall perform the practical components of the training and demonstrate his or her skills and behaviour on public roads. The duration of the training shall be at least 7 hours.

- (c) Specific provisions concerning vehicles of category BE, C, CE, C1, C1E, D, DE, D1 and D1E

Member States may decide that no restriction to vehicles with automatic transmission shall be recorded on the driving licence for a category BE, C, CE, C1, C1E, D, DE, D1 or D1E vehicle referred to in point 5.(1) point (b), when the applicant already holds a driving licence obtained on a vehicle with manual transmission in at least one of the following categories: B, BE, C, CE, C1, C1E, D, DE, D1 or D1E, and has performed the actions described in point 8.(4) during the test of skills and behaviour.

- (2) The vehicles used in tests of skills and behaviour shall comply with the minimum criteria given below. Member States may make provisions for more stringent criteria or add others. Member States may apply to vehicles of category A1, A2 and A, used in the test of skills and behaviour, a tolerance of 5 cm³ below the required minimum cylinder capacity.

- (a) Category A1:

Category A1 motorcycle without sidecar, with a power rating not exceeding 11 kW and with a power to weight ratio not exceeding 0,1 kW/kg, and capable of a speed of at least ~~90 km~~**80 km**/h.

If the motorcycle is powered by an internal combustion engine, the cylinder capacity of the engine shall be at least 120 cm³.

If the motorcycle is powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0,08 kW/kg;

- (b) Category A2:

Motorcycle without sidecar, with a power rating of at least 20 kW but not exceeding 35 kW and with a power to weight ratio not exceeding 0,2 kW/kg.

If the motorcycle is powered by an internal combustion engine, the cubic capacity of the engine shall be at least 250 cm³.

If the motorcycle is powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0,15 kW/kg;

(c) Category A:

Motorcycle without sidecar, whose unladen mass is more than 180 kg, with a power rating of at least 50 kW. A tolerance of 5 kg below the required minimum mass may be accepted by the Member State.

If the motorcycle is powered by an internal combustion engine, the cubic capacity of the engine shall be at least 600 cm³.

If the motorcycle is powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0,25 kW/kg.

(d) Category B:

A four-wheeled category B vehicle capable of a speed of at least 100 km/h;

(e) Category BE:

A combination, made up of a category B test vehicle and a trailer with a maximum authorised mass of at least 1 000 kg, capable of a speed of at least 100 km/h, which does not fall within category B; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the motor vehicle; the closed box body may also be slightly less wide than the motor vehicle provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum of 800 kg real total mass;

(f) Category B1:

A motor-powered quadricycle capable of a speed of at least 60 km/h;

The driving of a vehicle with code 60.03 shall be subject to the passing of a skills and behaviour test taken on a vehicle according to Article 9(4), first subparagraph, point (c);

(g) Category C:

A category C vehicle with a maximum authorised mass of at least 12 000 kg, a length of at least 8 m, a width of at least 2,40 m and capable of a speed of at least 80 km/h;

fitted with anti-lock brakes, equipped with recording equipment as defined by Regulation (EU) No 165/2014; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; the vehicle shall be presented with a minimum of 10 000 kg real total mass;

(h) Category CE:

Either an articulated vehicle or a combination of a category C test vehicle and a trailer of at least 7,5 m in length; both the articulated vehicle and the combination shall have a maximum authorised mass of at least 20 000 kg, a length of at least 14 m and a width of at least 2,40 m, shall be capable of a speed of at least 80 km/h, fitted with anti-lock brakes, equipped with recording equipment as defined by Regulation (EU) No 165/2014; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; both the articulated vehicle and the combination shall be presented with a minimum of 15 000 kg real total mass;

(i) Category C1:

A subcategory C1 vehicle with a maximum authorised mass of at least 4 000 kg, with a length of at least 5 m and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EU) No 165/2014; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab;

When the person is not going to be tested on his or her ability to use recording equipment, the vehicle does not need to be equipped with recording equipment.

(j) Category C1E:

A combination made up of a subcategory C1 test vehicle and a trailer with a maximum authorised mass of at least 1 250 kg; this combination shall be at least 8 m in length and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the cab; the closed box body may also be slightly less wide than the cab provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum of 800 kg real total mass;

(k) Category D:

A category D vehicle with a length of at least 10 m, a width of at least 2,40 m and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EU) No 165/2014;

(l) Category DE:

A combination made up of a category D test vehicle and a trailer with a maximum authorised mass of at least 1 250 kg, a width of at least 2,40 m and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least 2 m wide and 2 m high; the trailer shall be presented with a minimum of 800 kg real total mass;

(m) Category D1:

A subcategory D1 vehicle with a maximum authorised mass of at least 4 000 kg, with a length of at least 5 m and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined by Regulation (EU) No 165/2014;

(n) Category D1E:

A combination made up of a subcategory D1 test vehicle and a trailer with a maximum authorised mass of at least 1 250 kg and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least 2 m wide and 2 m high; the trailer shall be presented with a minimum of 800 kg real total mass;

6. Skills and behaviour to be tested concerning categories A1, A2 and A

(1) Preparation and technical check of the vehicle with a bearing on road safety

Applicants shall demonstrate that they are capable of preparing to ride safely by satisfying the following requirements:

- (a) adjust the protective outfit, such as gloves, boots, clothes and safety helmet;
- (b) perform a random check on the condition of the tyres, brakes, steering, emergency stop switch (if applicable), chain, oil levels, lights, reflectors, direction indicators and audible warning device.

(2) Special manoeuvres to be tested with a bearing on road safety:

- (a) putting the motorcycle on and off its stand and moving it, without the aid of the engine, by walking alongside the vehicle;
- (b) parking the motorcycle on its stand;
- (c) at least two manoeuvres to be executed at slow speed, including a slalom; this shall allow competence to be assessed in handling of the clutch in combination with the brake, balance, vision direction and position on the motorcycle and the position of the feet on the foot rests;
- (d) at least two manoeuvres to be executed at higher speed, of which one manoeuvre in second or third gear, at least 30 km/h and one manoeuvre avoiding an obstacle at a minimum speed of 50 km/h; this shall allow competence to be assessed in the position on the motorcycle, vision direction, balance, steering technique and technique of changing gears;
- (e) braking: at least two braking exercises shall be executed, including an emergency brake at a minimum speed of 50 km/h; this shall allow competence to be assessed in handling of the front and rear brake, vision direction and the position on the motorcycle.

(3) Behaviour in traffic

Applicants shall perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:

- (a) riding away: after parking, after a stop in traffic; exiting a driveway;
- (b) riding on straight roads; passing oncoming vehicles, including in confined spaces;
- (c) riding round bends;
- (d) crossroads: approaching and crossing of intersections and junctions;
- (e) changing direction: left and right turns; changing lanes;
- (f) approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;
- (g) overtaking/passing: overtaking other traffic (if possible); riding alongside obstacles, for instance parked cars; being overtaken by other traffic (if appropriate);
- (h) special road features (if available): roundabouts; railway level crossings; tram/bus stops; pedestrian crossings; riding up-/downhill on long slopes; tunnels;
- (i) reacting and anticipating to hazardous situations; **by way of derogation from the obligation to perform the actions in normal traffic situations, simulators may be used for the testing of these skills;** ~~using simulators;~~
- (j) taking the necessary precautions when getting off the vehicle.

7. Skills and behaviour to be tested concerning categories B, B1 and BE

(1) Preparation and technical check of the vehicle with a bearing on road safety

Applicants shall demonstrate that they are capable of preparing to drive safely by satisfying the following requirements:

- (a) adjusting the seat as necessary to obtain a correct seated position;
- (b) adjusting rear-view mirrors, seat belts and head restraints if available;
- (c) checking that the doors are closed;
- (d) performing a random check on the condition of the tyres, steering, brakes, fluids (for instance engine oil, coolant, washer fluid), lights, reflectors, direction indicators and audible warning device;
- (e) checking the safety factors relating to vehicle loading: body, sheets, cargo doors, cabin locking, way of loading, securing load (category BE only);
- (f) checking the coupling mechanism and the brake and electrical connections (category BE only).

(2) Categories B and B1: special manoeuvres to be tested with a bearing on road safety

A selection of the following manoeuvres shall be tested (at least two manoeuvres for the four points, including one in reverse gear):

- (a) reversing in a straight line or reversing right or left round a corner while keeping within the correct traffic lane;
- (b) turning the vehicle to face the opposite way, using forward and reverse gears;
- (c) parking the vehicle and leaving a parking space (parallel, oblique or right-angle, forwards or in reverse, on the flat, uphill or downhill);
- (d) braking accurately to a stop; however, performing an emergency stop is optional.

(3) Category BE - special manoeuvres to be tested with a bearing on road safety:

- (a) coupling and uncoupling, or uncoupling and re-coupling a trailer from its motor vehicle; the manoeuvre must involve the towing vehicle being parked alongside the trailer (i.e. not in one line);
- (b) reversing along a curve, the line of which shall be left to the discretion of the Member States;
- (c) parking safely for loading/unloading.

(4) Behaviour in traffic

Applicants shall perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:

- (a) driving away: after parking, after a stop in traffic; exiting a driveway;
- (b) driving on straight roads; passing oncoming vehicles, including in confined spaces;
- (c) driving round bends;
- (d) Crossroads: approaching and crossing of intersections and junctions;
- (e) changing direction: left and right turns; changing lanes;
- (f) approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;
- (g) overtaking/passing: overtaking other traffic (if possible); driving alongside obstacles, for instance parked cars; being overtaken by other traffic (if appropriate);
- (h) special road features (if available): roundabouts; railway level crossings; tram/bus stops; pedestrian crossings; riding up-/downhill on long slopes; tunnels;
- (i) taking the necessary precautions when alighting from the vehicle;
- (j) reacting and anticipating to hazardous situations ~~using simulators~~; **by way of derogation from the obligation to perform the actions in normal traffic situations, simulators may be used for the testing of these skills.**

8. **Skills and behaviour to be tested concerning categories C, CE, C1, C1E, D, DE, D1 and D1E**

(1) Preparation and technical check of the vehicle with a bearing on road safety

Applicants shall demonstrate that they are capable of preparing to drive safely by satisfying the following requirements:

- (a) adjusting the seat as necessary to obtain a correct seated position;
- (b) adjusting rear-view mirrors, seat belts and head restraints if available;
- (c) random checks on the condition of the tyres, steering, brakes, lights, reflectors, direction indicators and audible warning device;
- (d) checking the power-assisted braking and steering systems; checking the condition of the wheels, wheel nuts, mudguards, windscreen, windows and wipers, fluids (for instance engine oil, coolant, washer fluid); checking and using the instrument panel including the recording equipment as defined in Regulation (EU) No 165/2014. This

latter requirement does not apply to the applicants for a driving licence for a category C1 or C1E vehicle not falling within the scope of that Regulation;

- (e) checking the air pressure, air tanks and the suspension;
- (f) checking the safety factors relating to vehicle loading: body, sheets, cargo doors, loading mechanism (if available), cabin locking (if available), way of loading, securing load (categories C, CE, C1, C1E only);
- (g) checking the coupling mechanism and the brake and electrical connections (categories CE, C1E, DE, D1E only);
- (h) being capable of taking special vehicle safety measures; controlling the body, service doors, emergency exits, first aid equipment, fire extinguishers and other safety equipment (categories D, DE, D1, D1E only);
- (i) reading a road map, route planning, including the use of electronic navigation systems (optional).

(2) Special manoeuvres to be tested with a bearing on road safety:

- (a) coupling and uncoupling, or uncoupling and re-coupling a trailer from its motor vehicle; the manoeuvre must involve the towing vehicle being parked alongside the trailer (i.e. not in one line) (categories CE, C1E, DE, D1E only);
- (b) reversing along a curve, the line of which shall be left to the discretion of the Member States;
- (c) parking safely for loading/unloading at a loading ramp/platform or similar installation (categories C, CE, C1, C1E only);
- (d) parking to let passengers on or off the bus safely (categories D, DE, D1, D1E only).

(3) Behaviour in traffic

Applicants must perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:

- (a) driving away: after parking, after a stop in traffic; exiting a driveway;
- (b) driving on straight roads; passing oncoming vehicles, including in confined spaces;
- (c) driving round bends;
- (d) crossroads: approaching and crossing of intersections and junctions;
- (e) changing direction: left and right turns; changing lanes;
- (f) approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;

- (g) overtaking/passing: overtaking other traffic (if possible); driving alongside obstacles, for instance parked cars; being overtaken by other traffic (if appropriate);
 - (h) special road features (if available): roundabouts; railway level crossings; tram/bus stops; pedestrian crossings; riding up-/downhill on long slopes; tunnels;
 - (i) taking the necessary precautions when alighting from the vehicle.
- (4) Safe and energy-efficient driving:
- (a) driving in such a way as to ensure safety and to reduce fuel/energy consumption and emissions during acceleration, deceleration, uphill and downhill driving;
 - (b) reacting and anticipating to hazardous situations ~~using simulators~~; **simulators may be used for the testing of these skills**;

9. Marking of the test of skills and behaviour

- (1) For each of the abovementioned driving situations in points 6, 7 and 8, the assessment shall reflect the degree of ease with which the applicant handles the vehicle controls and his or her demonstrated capacity to drive in traffic in complete safety. The examiner must feel safe throughout the test. Driving errors or dangerous conduct immediately endangering the safety of the test vehicle, its passengers or other road users shall be penalised by failing the test, whether or not the examiner or accompanying person has to intervene. Nonetheless, the examiner shall be free to decide whether or not the skills and behaviour test shall be completed.

Driving examiners shall be trained to assess correctly the applicants' ability to drive safely. The work of driving examiners shall be monitored and supervised, by a body authorised by the Member State, to ensure correct and consistent application of fault assessment in accordance with the standards laid down in this Annex.

- (2) During their assessment, driving examiners shall pay special attention to whether an applicant is showing a defensive and social driving behaviour. This shall reflect the overall style of driving and the driving examiner shall take this into account in the overall picture of the applicant. It includes adapted and determined (safe) driving, taking into account road and weather conditions, taking into account other traffic, taking into account the interests of other road users (particularly the vulnerable road users) and anticipation.
- (3) The driving examiner shall furthermore assess whether the applicant:
- (a) controls the vehicle; taking into account: proper use of safety belts, rear-view mirrors, head restraints; seat; proper use of lights and other equipment; proper use of clutch, gearbox, accelerator, braking systems (including third braking system, if available), steering; controlling the vehicle under different circumstances, at different speeds; steadiness on the road; the weight and dimensions and characteristics of the vehicle; the weight and type of load (categories BE, C, CE, C1, C1E, DE, D1E only); the comfort of the passengers (categories D, DE, D1, D1E only) (no fast acceleration, smoothly driving and no hard braking);

- (b) drives economically and in a safe and energy-efficient way, taking into account the revolutions per minute, changing gears, braking and accelerating (categories B, BE, C, CE, C1, C1E, D, DE, D1, D1E only);
- (c) complies with observation rules: all-round observation; proper use of mirrors; far, middle, near distance vision;
- (d) respects priority/giving way: priority at crossroads, intersections and junctions; giving way at other occasions (for instance changing direction, changing lanes, special manoeuvres);
- (e) has a correct position on the road: proper position on the road, in lanes, on roundabouts, round bends, suitable for the type and the characteristics of the vehicle; pre-positioning;
- (f) keeps distance: keeping adequate distance to the front and the side; keeping adequate distance from other road users in particular vulnerable road users;
- (g) respects speed limits and recommendations: not exceeding the maximum allowed speed; adapting speed to weather/traffic conditions and where appropriate up to national speed limits; driving at such a speed that stopping within distance of the visible and free road is possible; adapting speed to general speed of same kind of road users;
- (h) respects traffic lights, road signs and other indications: acting correctly at traffic lights; obeying instructions from traffic controllers; acting correctly at road signs (prohibitions or commands); take appropriate action at road markings;
- (i) respects signalling: give signals where necessary, correctly and properly timed; indicating directions correctly; taking appropriate action with regard to all signals made by other road users;
- (j) controls braking and stopping: decelerating in time, braking or stopping according to circumstances; anticipation; using the various braking systems (only for categories C, CE, D, DE); using speed reduction systems other than the brakes (only for categories C, CE, D, DE).

10. **Length of the test**

The length of the test and the distance travelled shall be sufficient to assess the skills and behaviour laid down in title B of this Annex. In no circumstances shall the time spent driving on the road be less than 25 minutes for categories A, A1, A2, B, B1 and BE and 45 minutes for the other categories. This shall not include the reception of the applicant, the preparation of the vehicle, the technical check of the vehicle with a bearing on road safety, the special manoeuvres and the announcement of the outcome of the practical test.

11. **Location of the test**

The part of the test to assess the special manoeuvres may be conducted on a special testing ground. Wherever practicable, the part of the test to assess behaviour in traffic shall be conducted on roads outside built-up areas, expressways and motorways (or similar), as well as on all kinds of urban streets (residential areas, 30 and 50 km/h areas, urban expressways) which shall represent the various types of difficulty likely to be encountered by drivers. It is also desirable for the test to take place in various traffic density conditions. The time spent driving on the road shall be used in an optimal way to assess the applicant in all the various traffic areas that may be encountered, with a special emphasis on changing between those areas.

II. KNOWLEDGE, SKILL AND BEHAVIOUR FOR DRIVING A POWER-DRIVEN VEHICLE

Drivers of all power-driven vehicles shall at any moment have the knowledge, skills and behaviour described under points 1 to 9, with a view to being able to:

- recognise and anticipate traffic dangers and hazards and assess their seriousness;
- have sufficient command of their vehicle not to create dangerous situations and to react appropriately should such situations occur;
- comply with road traffic regulations, and in particular those intended to prevent road accidents and to maintain the flow of traffic;
- detect any major technical faults in their vehicles, in particular those posing a safety hazard, and have them remedied in an appropriate fashion;
- take account of all the factors affecting driving behaviour (for instance alcohol, fatigue, poor eyesight, etc.) so as to retain full use of the faculties needed to drive safely;
- help ensure the safety of all road users, and in particular of the vulnerable road users, by showing due respect for others;
- have sufficient knowledge of risk factors related to micro mobility means;
- have sufficient knowledge of safety related to the usage of alternatively fuelled vehicles;
- have sufficient knowledge on the usage of advanced driving assistance systems and of other automation aspects of a vehicle.

Member States may implement the appropriate measures to ensure that drivers who have lost the knowledge, skills and behaviour as described under points 1 to 9 can recover this knowledge and those skills and will continue to exhibit such behaviour required for driving a motor vehicle.

[...]

ANNEX IV

MINIMUM STANDARDS FOR PERSONS WHO CONDUCT PRACTICAL DRIVING TESTS

1. Competences required by a driving examiner

- (4) A person authorised to conduct practical assessments in a motor vehicle of the driving performance of a candidate shall have knowledge, skills and understanding related to the topics listed in points 1.(2) to 1.(6).
- (5) The competences of an examiner shall be relevant to assessing the performance of a candidate seeking the category of driving licence entitlement for which the driving test is being undertaken.
- (6) Knowledge and understanding of driving and assessment:
 - (a) theory of driving behaviour;
 - (b) hazard perception and accident avoidance;
 - (c) the syllabus underpinning driving test standards;
 - (d) the requirements of the driving test;
 - (e) relevant road and traffic legislation, including relevant Union and national legislation and interpretative guidelines;
 - (f) assessment theory and techniques;
 - (g) defensive driving.
- (7) Assessment skills:
 - (a) ability to observe accurately, monitor, and evaluate overall candidate performance, in particular:
 - (b) correct and comprehensive recognition of dangerous situations;
 - (c) accurate determination of cause and likely effect of such situations;
 - (d) achievement of competence and recognition of errors;
 - (e) uniformity and consistency in assessment;
 - (f) assimilate information quickly and extract key points;
 - (g) look ahead, identify potential problems, and develop strategies to deal with them;
 - (h) provide timely and constructive feedback.

(8) Personal driving skills:

A person authorised to conduct a practical test for a category of driving licence must be able to drive to a consistently high standard that type of motor vehicle.

(9) Quality of service:

- (a) establish and communicate what the candidate can expect during the test;
- (b) communicate clearly, choosing content, style and language to suit the audience and context and deal with enquiries from candidates;
- (c) provide clear feedback about the test result;
- (d) treat candidates with respect and indiscriminately.

(10) Knowledge about vehicle technique and physics:

- (a) knowledge about vehicle technique such as steering, tyres, brakes, lights, specially for motorcycles and heavy vehicles;
- (b) loading safety;
- (c) knowledge about vehicle physics such as speed, friction, dynamics, energy.

(11) Driving in a fuel/energy efficient and environmentally friendly way.

2. **General conditions**

(12) A category B driving examiner:

- (a) shall have held a category B licence for at least 3 years;
- (b) shall be at least 23 years old;
- (c) shall have successfully completed the initial qualification provided for in point 3 of this Annex and subsequently followed the quality assurance and the periodic training arrangements as provided for in point 4 of this Annex;
- (d) shall have terminated a vocational education that leads at least to a completion of level 3 as set out in the International Standard Classification of Education (ISCED)¹;
- (e) shall not be active as a commercial driving instructor in a driving school simultaneously.

(13) A driving examiner for the other categories:

¹ [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=International_Standard_Classification_of_Education_\(ISCED\)#Implementation_of_ISCED_2011_.28levels_of_education.29](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=International_Standard_Classification_of_Education_(ISCED)#Implementation_of_ISCED_2011_.28levels_of_education.29)

- (a) shall hold a driving licence in the category concerned or possess equivalent knowledge through adequate professional qualification;
- (b) shall have successfully completed the initial qualification provided for in point 3 of this Annex and subsequently followed the quality assurance and the periodic training arrangements as provided for in point 4 of this Annex;
- (c) shall have been a qualified category B driving examiner for at least 3 years; this period may be waived provided that the examiner in question can provide evidence of:
 - (i) at least 5 years of driving in the category concerned, or
 - (ii) a theoretical and practical assessment of driving ability of a standard higher than that needed to obtain a driving licence thus making that requirement unnecessary,
- (d) shall have terminated a vocational education that leads at least to a completion of level 3 as set out in the International Standard Classification of Education (ISCED);
- (e) shall not be active as a commercial driving instructor in a driving school simultaneously.

(14) **Equivalences**

- (a) Member States may authorise an examiner to conduct driving tests for categories AM, A1, A2 and A upon passing the initial qualification prescribed in point 3 for one of those categories.
- (b) Member States may authorise an examiner to conduct driving tests for categories C1, C, D1 and D upon passing the initial qualification prescribed in point 3 for one of those categories.
- (c) Member States may authorise an examiner to conduct driving tests for categories BE, C1E, CE, D1E and DE upon passing the initial qualification prescribed in point 3 for one of those categories.

3. **Initial qualification**

(1) **Initial training**

- (a) Before a person may be authorised to conduct driving tests, that person shall satisfactorily complete such training programme as a Member State may specify in order to have the competences set out in point 1.
- (b) Member States shall determine whether the content of any particular training programme will relate to authorisation to conduct driving tests for one driving licence category, or more than one.

(2) Examinations

- (a) Before a person may be authorised to conduct driving tests, that person shall demonstrate a satisfactory standard of knowledge, understanding, skills and aptitude in respect of the subjects listed in point 1.
- (b) Member States shall operate an examination process that assesses, in a pedagogically appropriate manner, the competences of the person as defined under point 1, in particular point 1.(4). The examination process shall be accessible¹ and include both a theoretical element and a practical element. Computer-based assessment may be used where appropriate. The details concerning the nature and duration of any tests and assessments within the examination shall be at the discretion of the individual Member States.
- (c) Member States shall determine whether the content of any particular examination will relate to authorisation to conduct driving tests for one driving licence category, or more than one.

4. **Quality assurance and periodic training**

(1) Quality assurance

- (a) Member States shall have in place quality assurance arrangements to provide for the maintenance of standards of driving examiners.
- (b) Quality assurance arrangements shall involve the supervision of examiners at work, their further training and re-accreditation, their continuing professional development, and by periodic review of the outcomes of the driving tests that they have conducted.
- (c) Member States shall provide that each examiner is subject to yearly supervision making use of quality assurance arrangements listed in point 4.(1).(b). Moreover, the Member States shall provide that each examiner is observed conducting tests once every 5 years, for a minimum period cumulatively of at least half a day, allowing the observation of several tests. When issues are identified corrective action shall be put in place. The person undertaking the supervision shall be a person authorised by the Member State for that purpose.
- (d) Member States may provide that where an examiner is authorised to conduct driving tests in more than one category, satisfying the supervision requirement in relation to tests for one category satisfies the requirement for more than one category.
- (e) The work of driving examination shall be monitored and supervised by a body authorised by the Member State, to ensure correct and consistent application of assessment.

¹ In accordance with the accessibility requirements set out in the European Accessibility Act, Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services.

(2) Periodic training

- (a) Member States shall provide that, in order to remain authorised, driving examiners, irrespective of the number of categories for which they are accredited, undertake:
 - (i) a minimum regular periodic training of four days in total per period of two years in order to:
 - (ii) maintain and refresh the necessary knowledge and examining skills;
 - (iii) to develop new competences that have become essential for the exercise of their profession;
 - (iv) ensure that an examiner continues to conduct tests to a fair and uniform standard;
 - (v) a minimum periodic training of at least five days in total per period of five years;
 - (vi) in order to develop and maintain the necessary practical driving skills.
- (b) Member States shall take the appropriate measures for ensuring that specific training is given promptly to those examiners that have found to be seriously malfunctioning by the quality assurance system in place.
- (c) The nature of periodic training may take the form of briefing, classroom training, conventional or electronic-based learning, and it may be undertaken on an individual or group basis. It may include such re-accreditation of standards as Member States consider appropriate.
- (d) Member States may provide that where an examiner is authorised to conduct driving tests in more than one category, satisfying the periodic training requirement in relation to tests for one category satisfies the requirement for more than one category, provided the condition set out in point 4.(2) point (e) is satisfied.
- (e) Where an examiner has not conducted tests for a category within a 24-month period, the examiner shall undertake a suitable reassessment before being allowed to carry out driving tests relating to that category. That re-assessment may be undertaken as part of the requirement set out in point 4.(2) point (a).

5. **Acquired rights**

- (1) Member States may allow persons authorised to conduct driving tests immediately before the provisions of Directive 2006/126/EC came into force to continue to conduct driving tests, notwithstanding that they were not authorised in accordance with the general conditions in point 2 or the initial qualification process set out in point 3.
 - (2) Such examiners shall nonetheless be subject to the regular supervision and quality assurance arrangements set out in point 4.
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