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NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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Subject: **Preparation of the Council meeting (Transport, Telecommunications and Energy) on 1st June 2023**

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

– Policy debate

1. At the meeting of the Council (Transport) on 1 June 2023, Ministers will be invited to hold a policy debate on the fourth reform of the Driving Licence Directive¹. The Presidency has prepared a background paper (in Annex) including questions to help structure the discussion.

¹ 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 (ST 6795/23 + ADD 1).

2. The Permanent Representatives Committee is invited to take note of the Presidency background paper, as set out in the Annex to this note, and to forward it to the Council for the above-mentioned policy debate.
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Fourth Reform of the Driving Licence Directive
Policy debate of the Transport Ministers at the Council meeting (TTE)
on 1 June 2023

Background

Driving licence rules are a field of incremental EU harmonisation, starting in 1980 with the first Directive on driving licences. The last major overhaul, the third reform in 2006, had to be applied in the Member States through the transposition into national rules by January 2013. The proposal to replace the Directive by way of a fourth reform was adopted by the Commission on 1 March 2023 as part of the ‘road safety package’, following an evaluation² and an impact assessment³.

The general objectives of the EU intervention are to improve road safety and facilitate the free movement of persons. The specific interventions concern practically all topics of the current Directive, in particular the improvement of driving skills, knowledge and experience, the reduction of dangerous behaviour, the checking of an adequate physical and mental fitness of drivers, measures against forgery and ‘licence shopping’, a framework of administrative cooperation, and the removal of barriers to free movement, including through the simplification of administrative processes and requirements.

The preparatory bodies of the Council started the examination of the proposal on 8 March 2023. The Presidency has started work on compromise proposals⁴.

² Evaluation of the Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences, SWD(2022) 17 final, supported by an external study of June 2021.

³ ST 6795/23 ADD 2 and 3.

⁴ Concentrating on ‘blocks 3 and 4’, which comprise Articles 8, 10 to 18 and related Annexes.

Road Safety

The 2017 Council conclusions on road safety⁵, endorsing the so-called ‘Valletta Declaration’, formulated Member States’ commitments in different areas of activity to further improve road safety, and facilitated the Commission’s Road Safety Policy Framework 2021-2030⁶, in which the Commission re-committed to the EU’s medium-term goal to reduce deaths and serious injuries by 50% by 2030 compared to 2020, and reiterated its ambitious aim to get close to zero deaths and zero serious injuries on EU roads by 2050 (“Vision Zero”).

The Driving Licence Directive is an important pillar of that strategy and one of the most tangible for EU citizens.

New or harmonised elements include the following:

- A probation period of at least two years for novice drivers covering all categories of driving licences, linked to increased scrutiny (in particular related to drink-driving);
- Accompanied driving of cars and lorries from the age of 17 to gain driving experience;
- Extension of the regular renewal period for motorcycles and passenger cars to 15 years, but with an interruption at the age of 70 in order to allow for more frequent assessment of driving fitness;
- Focussing health service resources by requiring a self-assessment of health as a measure that allows determining the need for a medical examination preceding passenger car and motorcycle licences;
- Decision at EU level (Commission) on a third country’s road safety level being equivalent, leading to a fully recognised exchange of their driving licences.

⁵ ST 8666/1/17 REV 1, adopted on 8 June 2017.

⁶ Next steps towards “Vision Zero” (SWD(2019) 283 final).

Technological update and digitisation

As in previous reforms, the current provisions need to be updated in respect of technological development. The following elements are part of this endeavor:

- Passenger car licence becoming automatically valid after two years for heavier alternatively fuelled cars;
- Easier access to driving cars with manual transmission if the training is on an automatic vehicle;
- Enlarging the theory test to cover attitudes towards vulnerable road users, the anticipation of hazards, risks associated with driving using advanced driving assistance systems, knowledge of safety aspects of alternatively fuelled vehicles and driving behaviour to limit emissions;
- Using simulators to practically test the reaction to hazardous situations.

The main modernisation feature of the proposal is the mandatory introduction of a digital driving licence⁷, which should be computer-based and verified electronically. The properties of such a licence should be developed together with the European Digital Identity Wallet for the verification of EU digital identifications across Member States, the aim of which is to cover on-line services, mobility and driving licences, health, education, digital finance, and travel credentials. The related proposals are expected for the end of 2023. The holder of a digital licence should be able to renew or exchange such a licence in the Union through a digital services portal provided by the Member States. The digital driving licence is to be the default type of driving licence issued, leaving the choice for citizens to ask for a physical driving licence or both.

⁷ Referred to as the “mobile driving licence” in accordance with the relevant ISO standard.

Questions:

1. In your view, in what way can the Driving Licence Directive further contribute to increasing road traffic safety in the Union?
 2. What are your views on a requiring a self-assessment of health before a driving licence will be issued or renewed?
 3. Does the proposal provide the right elements in terms of digitisation and adaptation to technological development? As regards digital driving licences, what in your opinion should be considered as key elements in their design and implementation (e.g. in relation to EU standards, controllability, phasing-in and gradual replacement of physical licences)?
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