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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

(Text with EEA relevance)

{SEC(2023) 350 final} - {SWD(2023) 128 final} - {SWD(2023) 129 final}

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

This proposal concerns a major revision of the Union rules on driving licences. It constitutes the third such revision of those rules, first introduced in 1980 by Directive 80/1263/EEC[1], followed by the second driving licence Directive 91/439/EEC[2] and the third driving licence Directive 2006/126/EC[3,4].

• Reasons for and objectives of the proposal

Road safety in the EU has improved quite significantly over the last 20 years. The number of road fatalities has gone down by 61.5% from around 51,400 in 2001 to around 19,800 in 2021. However, the improvement in road safety has not been as strong as needed. The slowdown in the reduction of the number of road deaths that set in 2014 has prompted the transport ministers of the EU to issue a ministerial declaration on road safety at the informal transport Council in Valletta in March 2017[5], where the Member States called upon the Commission to explore the strengthening of the EU's road safety legal framework to ensure that fewer people die in road crashes.

As part of its third Mobility Package of May 2018, the Commission issued "A Strategic Action Plan on Road Safety"[6] where it called for a new approach to counter the stagnating trend in road safety figures in the EU and move closer to the long-term goal of zero road fatalities across the EU by 2050 ("Vision Zero"). In June 2019, the Commission published the EU Road Safety Policy Framework 2021-2030 – Next steps towards "Vision Zero"[7]. In it, the Commission proposed new interim targets of reducing the number of road deaths by 50% between 2020 and 2030 as well as reducing the number of serious injuries by 50% in the same period, as recommended by the Valletta Declaration.

In its Sustainable and Smart Mobility Strategy[8] of 2020, the Commission reiterated the target of zero fatalities in all modes of transport by 2050 and announced the revision of the Driving Licence Directive, among others to take into account technological innovation including mobile driving licences, under Flagship 10 "Enhancing transport safety and security". In October 2021, the

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1 OJ L 375, 31.12.1980, p. 1 EUR-Lex - 31980L1263 - EN - EUR-Lex (europa.eu)

2 OJ L 237, 24.8.1991, p. 1 EUR-Lex - 31991L0439 - EN - EUR-Lex (europa.eu)

3 OJ L 403, 30.12.2006, p. 18 EUR-Lex - 02006L0126-20201101 - EN - EUR-Lex (europa.eu)

4 The first Directive on driving licences (Directive 80/1263/EEC) introduced the very first set of rules in the EU as regards harmonisation of the national driving licence schemes, in particular through the introduction of a Community model of the licence, the preliminary definition of vehicles' categories and by laying down the conditions under which driving licences can be issued or exchanged across the EU. These rules were further refined and extended in the second driving licence Directive (Directive 91/439/EEC). Most importantly, the mutual recognition of driving licences issued by Member States was established and requirements for a minimum age to obtain a driving licence were introduced. The third driving licence Directive (Directive 2006/126/EC) was approved in December 2006 and has been amended eleven times between 2009 and 2020, mainly to improve the harmonisation of common standards and requirements, as well as to adapt it to technological developments.

5 See: https://eumos.eu/wp-content/uploads/2017/07/Valletta_Declaration_on_Improving_Road_Safety.pdf; in June 2017, the Council adopted conclusions on road safety endorsing the Valletta Declaration (see document 9994/17).

6 Annex I to COM(2018) 293 final (Europe on the Move. Sustainable mobility for Europe: safe, connected and clean) EUR-Lex - 52018DC0293 - EN - EUR-Lex (europa.eu)

7 SWD(2019) 283 final https://transport.ec.europa.eu/system/files/2021-10/SWD2190283.pdf

8 COM(2020) 789 final EUR-Lex - 52020DC0789 - EN - EUR-Lex (europa.eu)

European Parliament adopted a resolution on the EU Road Safety Policy Framework 2021-2030[9], calling on the Commission to further promote road safety, notably through higher standards in terms of drivers' training.

This proposal has been announced in the Commission Work Programme 2022 under Annex II (REFIT initiatives), under the heading 'A New Push for European Democracy'[10], and it delivers on the Better Regulation agenda[11] by ensuring that the existing legislation is simpler and clear, does not create unnecessary burden and keeps pace with evolving political, societal and technological developments.

One of the most advanced frameworks in the world on driving licences is in force and applied by the EU and other EEA Member States. Altogether, it covers more than 250 million drivers. The cornerstone of this framework is the Driving Licence Directive, which establishes common legal measures for the recognition and issuance of driving licences in the European Union. Its objectives are the improvement of road safety and the facilitation of free movement of citizens within the EU. With freedom of movement established by the European Single Market, EU rules on driving licences have contributed to easing cross-border travels and facilitated change of residence for citizens establishing themselves in another Member State. Nonetheless, citizens are still confronted with inconsistencies between national approaches, which in turn affect their driving rights. They also face shortcomings and difficulties in the implementation of the Directive.

This initiative builds on Directive 2006/126/EC which aimed to improve road safety and facilitate the freedom of movement by:

- the introduction of a European Union single driving licence model mandatory for all drivers from 2033, with the aim of ensuring greater protection against fraud and forgery;
- the categorisation of driving licences according to types of vehicles and minimum ages to drive them;
- the compulsory administrative renewal of all new driving licences every 10 years;
- a simplification of the administrative burden on drivers changing their place of residence to another Member State;
- the application of common minimum standards on skills, knowledge, physical and mental fitness of drivers;
- a progressive access to powerful motorcycles, based on minimum age and previous experience on less powerful motorcycles;
- the creation of a network for the exchange of information related to driving licences between national authorities (RESPER).

The impact assessment report[12] confirmed the need for an update of the EU rules governing driving licences to support the efforts to reduce road fatalities and serious injuries and to further reduce administrative burdens and obstacles to the free movement of citizens in the EU. In many serious crashes resulting in death, serious health loss and non-fatal injuries, the driver's skills, knowledge, behaviour and medical fitness play an important role, and there are still too many holders of driving licences whose presence on EU roads presents risks due to

[9] P9_TA(2021)0407 https://www.europarl.europa.eu/doceo/document/TA-9-2021-0407_EN.pdf
[10] COM(2021) 645 final EUR-Lex - 52021DC0645 - EN - EUR-Lex (europa.eu)
[11] SWD(2021) 305 final Better regulation (europa.eu)
[12] SWD(2023) 128 final

their lack of fitness to drive. The ex-post evaluation[13] has found that the current age-based screening is no longer perceived as the most relevant. Although there is evidence about potential physical deterioration due to age, some studies have concluded that specific medical conditions, such as substance abuse, mental health illnesses, epilepsy and diabetes, heart conditions and sleep apnoea are not necessarily connected with age. They are however more important factors than age when it comes to medical fitness to drive.

Skills, knowledge, risk awareness and experience of drivers remain limited, particularly for novice drivers. The higher level of accidents and fatalities of novice drivers indicates that the requirements for issuing driving licences are not fully adapted to road safety objectives. In addition, the progressive introduction of new technologies such as advanced driver assistance systems and, in the future, automated vehicles will have a substantial impact on the use of vehicles. Whereas such technologies have the potential to improve road safety and contribute to more inclusive mobility, they also bring new challenges for the drivers in terms of skills and knowledge of new functionalities, which are not covered by the current Directive.

In terms of obstacles to the free movement of people, unnecessary or unjustified procedures for obtaining the licence or exercising or maintaining driving rights in another EU country remain in place when drivers obtain, use, replace, renew, or exchange driving licences. This ultimately hinders their movement within the EU. According to the evaluation, some measures of the Directive (such as the concept of normal residence) have been difficult to apply and may have led to a high administrative burden or were obstacles to free movement. In practice, citizens with well-documented driving rights that are confronted with such barriers may remain without driving licences for up to six months or even longer. In addition, the current Directive may, in certain cases, prevent EU citizens from obtaining a driving licence in the EU countries where their knowledge of the local language is insufficient and where an interpreter is not authorised during the tests. Furthermore, there are no common rules for the exchange of driving licences issued by third countries when the holder establishes his or her residence in the European Union, and the EU licences obtained in one Member State in exchange for the third-country licence may cease to be valid in case this person transfers his or her residence to another Member State.

Finally, several Member States[14] have introduced, or are planning to introduce, national mobile (digital) driving licences without being accompanied by the issuance of a physical document (i.e. card). As the current Directive establishes the principle of mutual recognition only for physical licences, mobile driving licences will therefore remain valid only on the territory of the issuing State. Consequently, the current framework is an obstacle to reaping the benefits of the digital transformation of road transport at European level and hinders free movement across the EU.

The new proposal for a Driving Licence Directive builds on the objectives of the previous Directive – namely to improve road safety and facilitate free movement – but also responds to the need for an increased sustainability and digital transformation of road transport. The proposal is also instrumental in achieving the Sustainable Development Goals[15], namely it contributes to making cities and human settlements by 2030 inclusive, safe, resilient and sustainable and to providing access to safe, affordable, accessible and sustainable transport systems for all. It also gives special attention to the road safety needs of all groups of society,

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13 SWD(2022) 17 final EUR-Lex - 52022SC0017 - EN - EUR-Lex (europa.eu)

14 Already available (Spain, Denmark, Greece, Poland, Portugal) and under consideration (Austria, Belgium, Cyprus, Estonia, Finland, Germany, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Sweden) according to UNECE informal document 10 of 13 September 2022 and consultation activities.

15 https://sdgs.un.org/#goal_section

notably vulnerable road users like pedestrians, cyclists, users of powered two-wheeled vehicles, users of personal mobility devices and persons with disabilities or reduced mobility and orientation[16]. By including new rules on automatic gear transmission and by increasing the maximum mass of most of the zero-emission vehicles in category B, the proposal will facilitate the uptake of such vehicles, thus contributing to the objectives of the European Climate Law[17] and the European Green Deal's zero pollution ambition of having an environment free of harmful pollution by 2050[18].

The new proposal for a Driving Licence Directive is coherent with the Single Digital Gateway Regulation[19], which provides access to online information, assistance and problem-solving services and e-government procedures through the Your Europe portal. The information governed by the proposal is already included in Annex I to the Single Digital Gateway Regulation. To further reduce the administrative burden, Annex II to the driving licence directive will be amended in order to make sure that the administrative procedure that citizens and residents are offered is fully online.

The objective of the initiative is therefore to improve road safety and facilitate the free movement of people in the European Union while also contributing to sustainable road transport and to its digital transformation by:

- *Improving driving skills, knowledge and experience, and reduce and punish dangerous behaviour.* The rules on driver training, testing and probation will ensure that especially young and novice drivers obtain the skills, knowledge, experience and risk awareness needed to drive safely. Also, all drivers should benefit from improved skills and knowledge on advanced technologies, using the safety and environmental potential of innovation to the full extent, as well as on ensuring a safe coexistence of motorised traffic and active modes of transport. Drivers should be held accountable for their dangerous driving behaviour in all Member States, to create an environment conducive to improving road safety.
- *Ensuring adequate physical and mental fitness of drivers across the EU.* Rules concerning physical and mental fitness to drive for non-professional drivers will be improved and updated to the latest technological development and in line with the human rights based model of disability[20]. In addition, the medical screening process across the EU will be enhanced to better contribute to the delivery of the road safety targets.
- *Removing inadequate or unnecessary barriers affecting applicants and holders of driving licences.* Several barriers still persist for drivers' access to licences and recognition of their driving rights, which in turn hinder freedom of

[16] Goal #11 and Target 11.2 of the UN 2030 Sustainable Development Agenda (https://sdgs.un.org/2030agenda)

[17] Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1) EUR-Lex - 32018R1724 - EN - EUR-Lex (europa.eu)

[18] COM(2021) 400 final EUR-Lex - 52021DC0400 - EN - EUR-Lex (europa.eu)

[19] Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1) EUR-Lex - 32018R1724 - EN - EUR-Lex (europa.eu)

[20] United Nations Convention on the Rights of Persons with Disabilities of 13 December 2006 to which the EU has been a Party since 21 January 2011

movement in the EU: difficulties with the driving tests resulting from the lack of knowledge of languages, different rules to determine normal residence for the residents in the EU or absence of continuity of certain driving rights when travelling and when changing residence in the EU. Removing those barriers is also expected to help address the current driver shortage, in particular of truck drivers, without compromising road safety. In addition, further harmonisation regarding the validity of driving licences and a mobile driving licence should be introduced.

More detailed information on how the above objectives and related problems are addressed by the initiative is presented in Chapter 3 of this explanatory memorandum.

To ensure a consistent approach in the field of road safety as regards the cross-border enforcement of road traffic rules, a negotiating package is established, which consists of three initiatives: besides this proposal, it also contains a proposal for a Directive amending Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information on road-safety-related traffic offences (the 'CBE Directive')[21,22] and a proposal for a Directive on the Union-wide effect of certain driving disqualifications[23].

- **Consistency with existing policy provisions in the policy area**

This proposal is consistent with other EU road safety legislation: Directive (EU) 2022/2561 of the European Parliament and of the Council of 14 December 2022 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers[24,25]; Directive (EU) 2015/413[26]; and the so-called 'General Safety Regulation'[27,28]. It is also consistent with the EU Road Safety Policy Framework 2021-2030 - Next steps towards "Vision Zero"[29].

The initiative is also aligned with the CBE Directive. In the context of mutual assistance (Article 15), the Driving Licence Directive provides also for a network for the exchange of information related to driving licences (RESPER) which can be used for the implementation of – and to control compliance with – the Driving Licence Directive, the Directive on the qualification and training of professional drivers and the CBE Directive. There is currently legal uncertainty whether RESPER can be used for the purposes of the CBE Directive (relying on EUCARIS) because of the formulation of Article 15 of the Driving Licence Directive and of the fact that Article 4(4) of the CBE Directive requires that Member States ensure that the exchange of information under the CBE Directive is carried out "*without*

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21 COM(2023) 126 final

22 OJ L 68, 13.3.2015, p. 9 EUR-Lex - 32015L0413 - EN - EUR-Lex (europa.eu)

23 COM(2023) 128 final

24 OJ L 330, 23.12.2022, p. 46 EUR-Lex - 32022L2561 - EN - EUR-Lex (europa.eu)

25 Which sets special rules for the qualification and training of professional drivers of those vehicles

26 Which facilitates the exchange of information between Member States when road-safety-related traffic offences are committed with a vehicle registered in another Member State

27 Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users, OJ L 325, 16.12.2019, p. 1 EUR-Lex - 02019R2144-20220905 - EN - EUR-Lex (europa.eu)

28 Which provides for the mandatory equipment of new vehicles with advances safety features

29 SWD(2019) 283 final https://transport.ec.europa.eu/system/files/2021-10/SWD2190283.pdf

exchange of data involving other databases which are not used for the purposes of this Directive". Consequently, a vast majority of law enforcement authorities are not using RESPER for the purpose of control.

The CBE Directive is being revised in parallel to the revision of the Driving Licence Directive, for both legal reasons and reasons of consistency. In this context, the removal of restrictions on the use of other databases is considered. Access to RESPER for the purpose of enforcement will be possible under the conditions specified by the Driving Licence Directive and as a result, more offences are expected to be successfully investigated. In addition, the revision of the Driving Licence Directive will provide for clarification of all the use cases which require the access to RESPER in the context of law enforcement, in order to completely remove legal uncertainties.

The provisions on the Union-wide effect of certain driving disqualifications are proposed to be covered in a separate act. It will cover the cross-border enforcement of such decisions while the consequences on issuance will remain addressed in this initiative.

The proposal is also part of the European Year of Skills, which aims to promote lifelong learning, strengthen the competitiveness of EU companies and support the green and digital transition in a socially fair way.

- **Consistency with other Union policies**

The Driving Licence Directive governs driving rights according to vehicle categories. Certain categories are defined by reference to EU rules:

- Council Directive 96/53/EC laying down the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic[30], allowing to identify the types of alternatively fuelled vehicles;
- Regulation (EU) No 168/2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles[31], allowing to identify the types of mopeds, motorcycles, motor tricycles and quadricycles.

The Directive determines the minimum ages to obtain a driving licence for future professional drivers, which are subject to Directive (EU) 2022/2561 of the European Parliament and of the Council of 14 December 2022 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers[32].

In addition, rules on the protection of personal data also apply to the exchange of information related to driving licences, in particular Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)[33].

The Commission has adopted on 3 June 2021 a proposal[34] for the revision of Regulation (EU) No 910/2014[35] as regards establishing a framework for a European Digital Identity. This new framework provides building blocks relevant to the mobile driving licences. In particular, the

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30 OJ L 235, 17.9.1996, p. 59 EUR-Lex - 01996L0053-20190814 - EN - EUR-Lex (europa.eu)

31 OJ L 60, 2.3.2013, p. 52 EUR-Lex - 02013R0168-20201114 - EN - EUR-Lex (europa.eu)

32 OJ L 330, 23.12.2022, p. 46 EUR-Lex - 32022L2561 - EN - EUR-Lex (europa.eu)

33 OJ L 119, 4.5.2016, p. 1 EUR-Lex - 32016R0679 - EN - EUR-Lex (europa.eu)

34 COM(2021) 281 final EUR-Lex - 52021PC0281 - EN - EUR-Lex (europa.eu)

35 Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market, OJ L 257, 28.8.2014, p. 73 EUR-Lex - 32014R0910 - EN - EUR-Lex (europa.eu)

electronic identity and, potentially, the electronic wallet features can be used to develop an interoperable solution for EU mobile driving licences.

This proposal is consistent with and contributes to the EU climate neutrality objective by 2050 as set out in Article 2(1) of Regulation (EU) 2021/1119 of the European Parliament and of the Council which establishes the EU framework for achieving climate neutrality.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

The legal basis of the proposal is Article 91(1) of the Treaty on the Functioning of the EU (TFEU)[36]. Article 91(1)(c) TFEU provides that the European Union has competence in the field of transport to lay down measures to improve transport safety, including road safety.

• Subsidiarity (for non-exclusive competence)

The Union already has competence in the field of driving licences, by virtue of Directive 2006/126/EC. Matters related to driving licences contain transnational aspects that cannot be covered by individual Member States alone. While the Driving Licence Directive represents an important step in the process of harmonising the rules on driving licences and contributes to the implementation of EU policies, it has so far been amended eleven times to harmonise common standards and requirements, as well as to adapt the rules to the scientific and technical progress that has occurred since 2006. The new rules to be introduced by this proposal remain within the competences conferred upon the Union by application of Article 91(1) TFEU, and given their connection to the already existing framework of driving licences, can only be achieved adequately at Union level.

In the light of the EU targets on road safety and the expected insufficient progress in reducing road fatalities and serious injuries, further EU action is needed to deliver on the set targets. For example, the fight against dangerous behaviour on roads can only deliver fully in case non-resident road traffic offenders face consequences for their conduct, in the same conditions as residents. These objectives cannot be sufficiently achieved by the Member States alone, given the cross-border dimension of these issues.

Further EU level action is also needed to remove unnecessary and unjustified barriers to the free movement of people due to suboptimal procedures for issuing and renewing driving licences. These problems need to be addressed at EU level because they also have a cross-border dimension. Concerning the specific case of mobile driving licences, they can only be mutually recognised across the EU if the solutions used by Member States are harmonized and interoperable.

Without EU intervention, cooperation on driving licences between Member States would have continued via bi- or multilateral agreements which, in turn, would have resulted in a higher complexity of the licensing system and a higher administrative burden for the licence holders and administrations. Administrative issues may also have been faced by drivers when travelling to Member States[37] that are not contracting parties of the Vienna Convention[38], for example the requirement to hold an international driving permit. Finally, when changing residence in the EU, holders of EU driving licences would have to obtain a new driving licence issued by their new country of residence, either by means of an administrative exchange or by passing the driving test like any other applicant. In the absence of EU

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36 OJ C 115, 9.5.2008, p. 85 EUR-Lex - 12008E091 - EN - EUR-Lex (europa.eu)

37 Spain, Malta, Cyprus and Ireland

38 Convention on Road Traffic concluded at Vienna on 8 November 1968

intervention, the integration of foreign professional drivers in the EU road transport sector will remain limited because of administrative difficulties for foreign drivers to maintain their driving rights. Removing this barrier could contribute to addressing the driver shortage issue in the EU together with other actions, beyond this measure, for example in relation to driver qualifications, improvement of working conditions and structural challenges.

- **Proportionality**

The proposal is necessary and proportionate to the objective of facilitating free movement through harmonised additional rules on driving licences, as Member States on their own cannot ensure the seamless recognition of the right to drive provided by a driving licence that another Member State issued.

The proposal does not go beyond what it necessary to achieve the objectives of ensuring an improved level of road safety and of facilitating freedom of movement, as the policy options adopted still provide an adequate level of flexibility for the Member States. Only minimum harmonisation requirements are provided for mobile driving licences, the rules on probationary periods allow Member States to apply additional national conditions or restrictions to novice drivers, and the rules on exchanging driving licences with third countries are narrowly defined.

A transparent, efficient, and coordinated approach with equal treatment of road users on EU roads is therefore needed, especially as an enabling condition of the principle of mutual recognition of driving licences, and the envisaged proposal complies with the principle of proportionality.

- **Choice of the instrument**

With a view to ensuring clear and consistent legal drafting, the most adequate legal solution is a complete revision of the Directive.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

The European Commission has published in 2022 an ex-post evaluation[39] of Directive 2006/126/EC, following the Better Regulation principles. The evaluation has demonstrated that the combined action of Directive 2006/126/EC and its two predecessors resulted in an increased safety level for road users within the Union and has facilitated free movement. The evaluation has also found a positive effect of the Driving Licence Directive on reduction of driving licence fraud and driving licence tourism. It led to the reduction of administrative burden, in particular for holders of driving licences. It also showed that there is scope for further enhancing the level of safety as well as the efficiency and proportionality of some of the regulatory requirements. The evaluation recognised that the EU transport system is changing rapidly, due to the impact of digitalisation, an increasing emphasis on active modes in urban transport, the emergence of new forms of mobility, developments regarding connectivity and automation, and the increasing role of artificial intelligence, as well as the uptake of low- and zero-emission vehicles. It concluded that the current legislative framework needs to be adapted, not only to address current needs but also to address future challenges.

[39] SWD(2022) 17 final

The evaluation further concluded that digital solutions, including the mobile driving licences and RESPER, have not been sufficiently explored. It also found that the rules on driving skills and knowledge do not sufficiently reflect new technological solutions, such as advanced driver-assistance systems, semi-automated and automated driving, the use of simulators as well as the uptake of micro-mobility solutions and low- and zero-emissions vehicles with an automatic gear transmission.

In addition, some provisions are suboptimal in terms of facilitating the free movement of persons, such as the ones on the establishment of normal residence, on the recognition of foreign driving licences and on validity periods. Moreover, the directive is not fully complementary with Directive (EU) 2015/413[40] regarding the enforcement of sanctions for such offences. The Directive also needs a better alignment with the General Safety Regulation[41].

- **Stakeholder consultations**

In line with the Better Regulation Guidelines, stakeholder consultations were carried out during the ex-post evaluation and the impact assessment.

During the ex-post evaluation, a stakeholder workshop was conducted on 16 October 2020to gather evidence, confirm identified findings, seek feedback on emerging findings, and to collect views.

An open public consultation was held between 28 October 2020 and 20 January 2021, allowing the interested public and stakeholders to express their views on the rules in force.

During the impact assessment preparatory phase, interested parties had the possibility to provide feedback on the Inception Impact Assessment (Q2 2021). Subsequently, the following targeted consultation activities were carried out:

- Two rounds of interviews:
  - Exploratory interviews during the inception phase (Q1 and Q2 2022)
  - In-depth interviews to fill information gaps and assess the expected impacts of policy measures (Q2 and Q3 2021).
- Two rounds of surveys:
  - A survey to substantiate the problem analysis (Q2 2022).
  - A survey to assess the impact of policy measures (Q2 and Q3 2022).

Finally, a new open public consultation took place in Q3 2022.

- **Collection and use of expertise**

During the impact assessment, three expert workshops took place:

- Training, testing and vehicle categories, Q1 2022.
- Issuance and mutual recognition of driving licences, Q2 2022.
- Consequences of road traffic offences and medical fitness, Q2 2022.

Commission services' own work on the impact assessment was complemented by an external support study carried out by the independent consortium made COWI, Ecorys and NTUA.

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40 OJ L 68, 13.3.2015, p. 9. EUR-Lex - 32015L0413 - EN - EUR-Lex (europa.eu)

41 OJ L 325, 16.12.2019, p. 1–40 EUR-Lex - 32019R2144 - EN - EUR-Lex (europa.eu)

During the ex-post evaluation and impact assessment preparatory phase, the Committee on driving licences established under Article 9 of the current Directive, composed essentially by Member States experts, was regularly informed and consulted.

- **Impact assessment**

This proposal for a revision of the Driving Licence Directive is accompanied by an impact assessment report[42], a draft of which was submitted to the Regulatory Scrutiny Board (RSB) on 12 October 2022. The RSB issued a positive opinion on 18 November 2022[43]. The impact assessment report was revised in line with the RSB recommendations. More detailed technical comments of the RSB were also addressed. The impact assessment report includes a detailed description of the policy options, included in Section 5, while a comprehensive analysis of the impacts of all options is presented in Section 6. The analysed policy options are summarised as follows:

Policy option A

Policy option A (PO-A) includes policy measures that are common to all three policy options. The measures under PO-A aim at aligning the Driving Licence Directive to the technological, scientific and societal developments in the EU, with improvements of its main provisions and addressing the market's needs and opportunities.

Regarding road safety, it increases the range of issues subject to testing. It also upgrades the technical means (RESPER) supporting cooperation between competent authorities in the context of the fight against fraud and forgery. It adapts the rules to take account of the increase of alternatively fuelled vehicles in the EU fleet. Finally, it also updates the standards on physical and mental fitness to drive and it establishes a new dedicated information sharing platform to allow for wider knowledge dissemination between authorities.

Regarding freedom of movement, it introduces the same administrative validity of driving licences for categories A and B to be applied in all Member States, and clarifies the cases where the validity can be reduced or extended. It also establishes the mutual recognition of optional equivalences[44], clarifies certain aspects related to the implementation of the concept of normal residence and introduces additional equivalences. Finally, it introduces the EU mobile driving licence, as well as the possibility to mark a QR code on the physical driving licence.

Policy option B

Policy option B (PO-B) represents an increase of policy intervention as regards road safety, as well as the reduction of the administrative burden of certain categories of drivers.

Regarding road safety, besides the measures included in PO-A, it introduces new rules on training and probationary periods. It complements the rules on physical and mental fitness to drive by non-binding guidelines to check applicants' vision, and with a mandatory screening based on a self-assessment. A training programme will be established for General Practitioners.

Regarding freedom of movement, besides the measures included in PO-A, the rules of issuance are simplified with the possibility for EU nationals to obtain their first driving licence in the country of citizenship when they face obstacles related to the language of the test. To mitigate the shortage of professional drivers, existing rules on bus and truck drivers are also simplified

42 SWD(2023) 128 final

43 RSB/RM/cdd – rsb(2022)7907617

44 For example, if a person is authorised to drive a light motorcycle with a licence of category B in his or her country of residence, he or she would be able to do the same in any other Member State that has applied the same optional equivalence.

and rules on the exchange of driving licences issued by third countries are introduced. Finally, to address mobility issues in remote areas, it will be possible for Member States to extend driving rights of holders of a B1 driving licence by allowing them to drive vehicles of a higher mass with a maximum speed of up to 45 km/h, but only on the national territory of the relevant Member State.

Policy option C

Policy option C (PO-C) represents a further increase in harmonisation and scope compared to PO-B.

Regarding road safety, besides the measures included in PO-A and PO-B, the categories of vehicles for which a driving licence is required are amended to 1) include new micro-mobility vehicles of a maximum speed between 25 and 45 km/h, 2) allow for the mutual recognition of national licences required to drive agricultural vehicles and 3) better align with the market's opportunities and needs for buses of category D1. The rules on physical and mental fitness to drive would become stricter.

Regarding freedom of movement, besides the measures included in PO-A and PO-B, the assessment of physical and mental fitness to drive is mutually recognised and former holders of foreign driving licences can continue to drive when changing their residence in another Member State, provided they have a positive road safety track record of at least five years.

Assessment of measures and policy options

The measures under the different policy options have been subject to a quantitative and qualitative assessment of economic and social (road safety) impacts and of impacts on fundamental rights. The 2025-2050 time horizon has been selected to assess the impacts, in line with the baseline projections. Regarding road safety, PO-A is expected to be sub-optimal to reach the corresponding EU targets. PO-B will improve road safety more whereas PO-C goes one substantial step further, but the cost-benefit ratio of PO-C is expected to be inferior to that of PO-B. Regarding free movement and economic effects, the main contribution is expected to come from the introduction of digital driving licences and the harmonisation of the administrative validity for group 1 drivers to 15 years (both already in PO-A). The additional measures introduced by PO-B and PO-C will resolve blocking issues affecting some specific groups of drivers but will have significantly less effect. Regarding fundamental rights, the effects will remain controlled by a strict implementation of rules on data protection, notably in RESPER.

All policy options fully encompassed the 'digital by default' principle, reflecting the 2030 Digital Compass Communication.[45]

- **Regulatory fitness and simplification**

This initiative is part of the Commission Work Programme 2022 under Annex II (REFIT initiatives), under the heading "A New Push for European Democracy"[46]. The initiative has an important REFIT dimension in terms of the simplification and alignment of the procedures that Member States apply to driving licences.

An important cost burden resulting from Directive 2006/126/EC is the issuance procedures and the production of the physical driving licence, because of the large number of EU residents concerned. An important part of simplification and related burden reduction will be the introduction of the EU mobile driving licence. Specifically, it will be easier to obtain, replace,

[45] COM (2021) 118 final EUR-Lex - 52021DC0118 - EN - EUR-Lex (europa.eu)
[46] COM (2021) 645 final EUR-Lex - 52021DC0645 - EN - EUR-Lex (europa.eu)

renew or exchange a driving licence, as it will be possible to perform the complete procedure online. In addition, the harmonisation of the administrative validity of driving licences for drivers of vehicles of categories A, A1, A2, AM, B, B1 and BE would also result in less interaction with the administration, because of the less frequent need for renewal of the driving licence (every 15 years instead of 10 years for the Member States currently applying this rule).

- **Fundamental rights**

The rules on driving licences are aligned with the applicable EU data protection legislation. A clearer definition of the cases where RESPER can be used is proposed, removing the existing legal ambiguities which constitute a risk for the protection of the personal data of drivers. The use of the eIDAS features for the EU driving licence, in particular electronic identity for enrolment and EU Wallet for the storage and exchange of data will ensure a high level of security and privacy of the information handled.

The transition to the EU digital driving licence is not expected to exclude certain categories of the population. Indeed, once the digital driving licence will be issued by default, everyone will still be able to obtain a physical driving licence by choice.

In terms of freedom of movement, the clarification of the concept of normal residence should solve the problem of determining the issuing authority just after the transfer of residence. The simplification of rules on administrative validity will put the holders of EU driving licences on an equal footing, regardless in which country they apply for a licence or extend the validity of their licence. The mutual recognition of optional equivalences will allow holders of driving licences to enjoy rights granted by an optional equivalence also in other Member States applying the same rules.

The proposed Directive will also have a positive impact on the right of non-discrimination; given that it will provide flexibility for the first issuance of driving licences in case of restrictions related to languages, which will allow applicants to choose where to take the tests.

The proposed Directive will ensure respect of the rights of persons with disabilities, in line with the Charter of Fundamental Rights and the UN Convention on the Rights of Persons with Disabilities to which the EU and all Member States are parties.

4. BUDGETARY IMPLICATIONS

The implications for the Union budget are mainly for the establishment of an information platform for authorities to exchange information on physical and mental fitness to drive and the development of an (online) training programme for general practitioner between EUR 0.7 to 1.1 million.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

In case the proposal is approved, Member States shall inform the Commission on a yearly basis regarding the number of driving licences issued, renewed, replaced, withdrawn and exchanged, for each category, including data on the issuance and use of mobile driving licences.

- **Explanatory documents (for directives)**

The proposal does not require explanatory documents in relation to its transposition.

- **Detailed explanation of the specific provisions of the proposal**

The main provisions which substantially change Directive 2006/126/EC or add new elements are the following:

- Article 1 defines the subject matter of the Directive and its scope, by specifying the areas for which it lays down common rules.
- Article 2 introduces definitions to take account of new concepts that were introduced for reasons of accrued legal clarity.
- Article 3 introduces the fundamental rules applicable to physical and mobile driving licences, in particular as regards their mutual recognition. The detailed requirements are specified in Article 4 for physical driving licences and in Article 5 for mobile driving licences.
- Articles 6 and 7 replace the former Article 4 of Directive 2006/126/EC separating in two specific articles the rules applicable to 1) licence categories and 2) minimum ages.
- Article 8 corresponds to the former Article 5 of Directive 2006/126/EC, clarifying the link between Union codes and possible conditions and limitations to the right of drive.
- Article 9 replaces the former Article 6 of Directive 2006/126/EC, with the following changes:
    - the removal of the requirement to hold a licence of category C or D to obtain a licence of category CE or DE;
    - the removal of the optional nature of the former equivalence established under point c) of the former Article 6(4);
    - the right to drive vehicles in category D1E for holders of licences of category D1 and C1E or D1 and CE;
    - the introduction of an optional equivalence allowing to drive certain vehicles with a licence of category B1; and
    - the mutual recognition of optional equivalences.
- Article 10 corresponds to the former Article 7 of Directive 2006/126/EC, with the following changes:
    - the 15-year administrative validity becomes the general rule for the groups of category A and B;
    - the Commission and Member States can extend the administrative validity of driving licences in exceptional circumstances;
    - the administrative validity of driving licences may be reduced to align with the duration of temporary residence permits;
    - the administrative validity of driving licences may be reduced on the basis of the holder's age only from 70 years.
- Article 11 corresponds to paragraphs 1, 2, 3 and 5 of the former Article 11 of Directive 2006/126/EC.
- Article 12 introduces specific new rules for the exchange of driving licences issued by a third country to holders who take up their normal residence in the territory of a Member State.

- Article 13 includes the former Article 11(4) of Directive 2006/126/EC and introduces certain rules concerning the effects of a restriction, suspension, withdrawal or cancellation of a driving licence by a Member State.
- Article 14 introduces the new principle of accompanied driving for drivers who are between 17 and 18 years old.
- Article 15 introduces a probationary period of a minimum of two years during which the novice drivers are subject to strict rules related to driving under the influence and possible additional national conditions.
- Article 16 corresponds to the former Article 10 of Directive 2006/126/EC.
- Article 17 includes the former Article 12 of Directive 2006/126/EC. It introduces also some derogations when the holder of a driving licence is not able to prove the establishment of the normal residence or, in the case of first issuance of a driving licence for category B, when EU citizens do not master the language of their Member State of residence.
- Article 18 corresponds to the former Article 13 of Directive 2006/126/EC, taking into account the information published by the Commission regarding non-EU standard model licences.
- Article 19 corresponds to the former Article 15 of Directive 2006/126/EC, clarifying notably the cases when Member States should mutually assist each other.
- Article 20 is based on the Article 14 of Directive 2006/126/EC and enables information collection in accordance with the Better Regulation rules.
- Article 21 contains a standard provision to enable the adoption by the Commission of delegated acts in line with certain provisions of the Directive.
- Article 22 corresponds to the former Article 9 of Directive 2006/126/EC, establishing the driving licence committee, and is updated with references to Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers[47], enabling the adoption of implementing acts where needed.
- Article 23 adds a point (c) to Article 5(2) of Directive (EU) 2022/2561, in order to allow for accompanied driving for drivers of driving licences of category C who have reached the age of 17.
- Article 24 amends Annex II to Regulation (EU) 2018/1724 of the European Parliament and of the Council[48].
- Article 25 contains a provision on transposition, in particular taking into consideration the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents[49].
- Article 26 contains a standard provision setting the conditions of repeal of Directive 2006/126/EC.

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47 OJ L 55, 28.2.2011, p. 13
48 OJ L 295, 21.11.2018, p. 1
49 OJ C 369, 17.12.2011, p. 14

- Article 27 contains a standard provision setting the entry into force of the Directive.
- Article 28 contains a standard provision setting that the Directive is addressed to the Member States.
- Annex I corresponds to former Annex I to Directive 2006/126/EC. It was updated taking into consideration the requirements introduced by Commission Regulation (EU) No 383/2012 of 4 May 2012 laying down technical requirements with regard to driving licences which include a storage medium (microchip)[50] (part B), technical specifications for the mobile driving licences (part C), and the introduction of new Union codes, which are now individualised in part E.
- Annex II corresponds to former Annex II to Directive 2006/126/EC. It was updated to take into account
    - the need for new candidate drivers to pass a driver hazard perception test;
    - the requirement to assess the knowledge of risk factors related to micro-mobility means, the safety of alternatively fuelled vehicles, the skills related to advanced driving assistance systems and other automation aspects of a vehicle;
    - the relaxation of requirements on drivers who passed their driving test with an automatic gearbox when they apply to remove the associated restriction on their driving licences.
- Annex III corresponds to former Annex III to Directive 2006/126/EC. It was updated with
    - the introduction of a mandatory screening by means of self-assessment for drivers in the group 1;
    - the relaxation of the frequency of tests required when the driver is subject to a health condition related to diabetes mellitus.
- Annexes IV, V and VI reproduce those of Directive 2006/126/EC with no substantial changes.
- Annex VIII contains the standard information related to repeal and transposition.

[50] OJ L 120, 5.5.2012, p. 1 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0383

2023/0053 (COD)

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

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) The rules on driving licences are essential elements of the common transport policy, contribute to improving road safety, and facilitate the free movement of persons taking up residence in a Member State other than the one issuing the licence. Given the importance of individual means of transport, possession of a driving licence duly recognised by a host Member State promotes and facilitates free movement and freedom of establishment of persons. Similarly, any unlawful obtaining of such a document or the right to drive, or the loss of a rightfully gained driving licence by way of unlawful conduct, affects not only the Member State in which such violations were committed but also road safety throughout the Union.

(2) The current framework, should be updated to be fit for the new era, sustainable, inclusive, smart and resilient. It should take into account the need to reduce emissions from transport, digitalisation, the demographic trends and technological developments to reinforce the competitiveness of the European Economy. It is important to simplify and digitise administrative procedures, in order to remove the remaining barriers, such as administrative burdens, to the free movement of the drivers taking up residence in a Member State other than the one issuing the licence. A harmonized Union standard driving licence framework should encompass both physical and mobile driving

[1] OJ C , , p. .
[2] OJ C , , p. .

licences, and provide for their mutual recognition, where they were duly issued in accordance with this Directive.

(3) The European Union has introduced the first "Community model" physical driving licence on 4 December 1980. Since then the rules relating to such a Community model have become the cornerstone of the most advanced licencing structures in the world, covering more than 250 million drivers. This Directive should therefore build on the accumulated experience and practice and lay down harmonized rules on the Union standards of physical driving licences. The physical driving licences issued within the Union should, in particular, provide for a high level of protection against fraud and forgery by means of anti-forgery measures and the possibility to include microchips or QR codes on them.

(4) It should be ensured that personal data processing for the implementation of this Directive complies with the data protection framework of the Union, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council[3].

(5) This Directive establishes a legal basis for the storage of an obligatory set of personal data in the physical driving licences and their microchips or QR codes and the mobile driving licences in order to guarantee a high level of road safety throughout the Union, and in compliance with Article 6(1)(e) and, where applicable, Article 9(2)(g) of Regulation (EU) 2016/679. Such data should be limited to what is necessary to prove a person's right to drive, identify this person and verify the person's driving rights and identity. This Directive also provides for additional safeguards to ensure the protection of personal data disclosed during the verification process.

(6) In order to provide for legal clarity and guarantee the seamless transition between this Directive and Directive 2006/126/EC of the European Parliament and of the Council on driving licences[4], Member States should be able to store additional personal data on a microchip, if this is provided by national law which complies with Regulation (EU) 2016/679. This Directive does not serve, however, as a legal basis for the inclusion of such additional data.

(7) In contrast to this, the QR code established by this Directive, which allows for the verification of the authenticity of the information printed on the physical driving licence should not allow for more information to be stored than what is reported on the physical driving licence.

(8) This Directive does not provide a legal basis for setting up or maintaining databases at national level for the storage of biometric data in Member States, which is a matter of national law that needs to comply with Union law regarding data protection. Moreover, this Directive does not provide a legal basis for setting up or maintaining a centralised database of biometric data at Union level.

(9) Further commitments are needed to accelerate the fight against forgery and fraud concerning driving licences. Therefore, it is desirable for the date originally set by Directive 2006/126/EC for all physical driving licences issued or in circulation to fulfil all the requirements laid down in Union law to be moved forward.

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[3] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).

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

(10) The digital transformation is one of the Union's priorities. In the case of road transport, it will contribute to remove the remaining administrative barriers, such as the ones relating to the duration of issuing physical driving licences, to free movement of persons. Therefore, a separate Union standard should be established for the mobile driving licences issued within the Union. In order to facilitate digital transformation mobile driving licences should be issued as default from [date-of-adoption+4years], without prejudice to the applicant's right to acquire either a physical one or both at the same time.

(11) The mobile driving licence should not only contain the information reported on the physical driving licence, but also information allowing to verify the authenticity of the data and a single-use pointer. However it should be ensured that even in such cases the amount of personal data made available is restricted to what would be reported on the physical driving licence and what is strictly necessary for the verification of the authenticity of such data. That additional data should be different in case a person holds several mobile driving licences, which is possible provided that they are issued by the same Member State.

(12) The Sustainable and Smart Mobility Strategy sets out a vision for the EU to significantly improve sustainability of mobility and transport. Emissions from the road transport sector include greenhouse gases emissions, air pollutants, noise and microplastics from tyre and road wear. Driving style influences these emissions, with possible negative impacts on the environment and human health. Therefore, driving training should equip drivers to reduce their impact on emissions as well as to prepare them to drive zero-emission vehicles.

(13) In order to allow citizens and residents to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and the Council[5] provides for access to online procedures relevant for the functioning of the internal market, including for cross-border users. The information covered by this Directive is already covered in Annex I to Regulation (EU) 2018/1724. Annex II to that Regulation should be amended as to assure that any requester benefits from fully online procedures.

(14) Driving licences should be categorised according to the types of vehicles they provide the right to drive to. This should be done in a clear and coherent manner and in full respect of the technical characteristics of the vehicles concerned and the skills needed to drive them.

(15) In accordance with United Nations Convention on the Rights of Persons with Disabilities of 13 December 2006, to which the EU has been a Party since 21 January 2011, specific provisions should be adopted to make it easier for persons with disabilities to drive vehicles. As such, with the prior agreement of the Commission, Member States should be allowed to exclude from the application of Article 6 certain specific types of power-driven vehicles.

(16) The minimum ages of applicants for the different categories of driving licences should be set at Union level. Nevertheless, Member States should be allowed to set a higher age limit for the driving of certain categories of vehicles in order to further promote

[5] Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1)

road safety. Member States should in exceptional circumstances be allowed to set lower age limits in order to take account of national circumstances. In particular, to allow the driving of fire service and public order maintenance related vehicles or pilot projects related to new vehicle technologies.

(17) A system of staging - namely establishing the entitlement for a category B driving licence as a prerequisite for the applicant to become eligible to hold certain other categories - and equivalences between categories should be established. Such system should be partially binding on all Member States, but should also grant Member States the possibility to apply it between each other in their respective territories. Member States should also be allowed to establish certain equivalences limited to their own territory only.

(18) On the grounds of road safety, it is necessary to lay down the minimum requirements for the issue of a driving licence. Standards for driving tests and licensing should be harmonised. To that end, the knowledge, skills and behaviour connected with driving power-driven vehicles should be specified, the driving test should be based on these concepts and the minimum standards of physical and mental fitness for driving such vehicles should be specified.

(19) Proof of compliance with minimum standards of physical and mental fitness for driving by drivers of vehicles used for the transport of persons or goods should be provided when the driving licence is issued and periodically thereafter. Such regular control in accordance with national rules of compliance with minimum standards would contribute to the free movement of persons, avoid distortions of competition and better take into account the specific responsibility of drivers of such vehicles. Member States should be allowed to impose medical examinations as a guarantee of compliance with the minimum standards of physical and mental fitness for driving other power-driven vehicles. For reasons of transparency, such examinations should coincide with a renewal of driving licences.

(20) In order to ensure uniform rights across the Union, taking into account also considerations of road safety, driving licences of categories AM, A1, A2, A, B1 and B should have an administrative validity of 15 years, while categories C, CE, C1, C1E, D, DE, D1 and D1E shall have an administrative validity of five years. Member States should be allowed to define shorter period in exceptional cases, as defined by this Directive.

(21) In order to allow the Member States and, in duly justified cases the Union as a whole, to react to crises that make it impossible for national authorities to renew driving licences the validity of which would otherwise expire it should be made possible to extend the administrative validity of such driving licences for the duration strictly necessary.

(22) The principle of ‘one holder - one licence’ should prevents any person of holding more than one physical driving licence. Nevertheless, the principle should also be extended to take into account the technical specificities of mobile driving licences.

(23) For reasons connected with road safety, Member States should be able to apply their national provisions on the withdrawal, suspension, renewal and cancellation of driving licences to all licence holders having acquired normal residence in their territory.

(24) Drivers who hold a driving licence issued by the Member State where they reside following an exchange with a driving licence issued by a third country should be entitled to drive across the Union as if they had originally obtained the licence within

the Union. Such an exchange could have diverse effects on road safety and the free movement of persons.

(25) The Commission should be empowered to adopt a decision identifying third countries that ensure a comparable level of road safety as the Union and providing the opportunity to holders of licences issued by these countries to exchange their driving licences on similar terms as if they were issued by a Member State. These conditions should be detailed and well-defined to all relevant driving licence categories.

(26) As regards driving licences issued by third countries that are not the object of such a Commission decision, or for which such a decision does not explicitly authorise nor prohibit the exchange, Member States should be allowed to exchange them in accordance with their national rules, provided that they use the relevant Union code on the exchanged licence. In case the holder of such a licence changes his or her residence to a new Member State, the latter should not be required to apply the principle of mutual recognition to such licence.

(27) "Driving licence tourism", namely the practice of changing residence for the purpose of acquiring a new driving licence, in order to circumvent the effects of a driving disqualification imposed in another Member State, is a wide-spread phenomenon, which has a negative effect on road safety. Drivers should not be exempted from requirements imposed on them to recover their right to drive or their driving licence, by changing their residence. At the same time it should be clarified that any conduct from the part of the citizens should only lead to an indefinite ban from driving where it is duly justified, and that such a decision should only have an effect limited to the territory of the Member State that issued it.

(28) A Union-wide accompanied driving scheme should be introduced for certain driving licence categories, in order to improve road safety. The rules of such a system should provide the possibility of applicants to acquire driving licences in the relevant categories before the required minimum age limit is reached. However the use of those driving licences should be subject to being accompanied by an experienced driver. In such situations, Member States should be allowed, for reasons of road safety, to define stricter conditions and rules within their territory concerning the driving licences they have issued.

(29) The accompanied driving scheme should, without prejudice to its overall goal of improving road safety, make the profession of truck driver more accessible and appealing to younger generations, in order to broaden their occupational possibilities, and to help tackle the driver shortage within the Union. Therefore, it should cover category C driving licences and their prerequisite B category licences.

(30) It should be ensured that drivers who newly acquire their driving licence in a given category do not endanger road safety on account of their inexperience. For those novice drivers a probationary period of two years should be established, during which they should be subjected to stricter rules and penalties Union-wide when breaking them, due to the influence of alcohol. The penalties for such conduct should be effective, proportionate, dissuasive and non- discriminatory and their severity should to the furthest extent possible take into account the Union's mid-term and long-term goals of halving and nearly eliminating deaths and serious injuries. As regards any other restrictions on novice drivers, Member States should be allowed to freely implement additional rules in their territory.

(31) Minimum standards concerning access to the profession of examiner and examiner training requirements should be established in order to improve the knowledge and skills of examiners thereby ensuring a more objective evaluation of driving licence applicants and achieving greater harmonisation of driving tests. The Commission should be empowered, moreover, to adopt delegated acts to amend and adapt those minimum standards to any technical, operational or scientific developments in this field where it becomes necessary.

(32) The concept of normal residence should be defined, in a way that enables resolving issues arising where it is not possible to establish normal residence on the basis of occupational or familial ties. It is also necessary to provide for the possibility for applicants to take the theoretical or practical tests in the Member State of their citizenship in the cases where their Member State of normal residence does not provide the opportunity to take those tests in the official language of the former. Specific rules should be established for diplomats and their families, where their mission requires them to live abroad for an extended period of time.

(33) Member States should assist each other in the implementation of this Directive. Where possible they should use the EU driving licence network in order to provide such assistance. The EU driving licence network, commonly referred to as 'RESPER' is a hub for the exchange of information between national authorities responsible for issuing driving licences and facilitating the implementation of this Directive.

(34) The EU driving licence network aims to guarantee the recognition of documents and acquired rights originating in Member States, combat document fraud, avoid the issuance of multiple licences and facilitate the enforcement of driving disqualifications. In particular, Member States should be given the possibility to systematically verify that the reasons, that led to any previously imposed restrictions, suspensions, withdrawals or cancellations of a driving licence or the right to drive, have disappeared. The use of RESPER for the implementation of other acts of the Union should only be permitted as long as those uses are explicitly provided for by this Directive.

(35) In order to enable the preparation of meaningful reports on the implementation of this Directive, the Commission should receive information on a yearly basis regarding the number of driving licences issued, renewed, replaced, withdrawn and exchanged, for each category, including data on the issuance and use of mobile driving licences.

(36) In order to achieve the objectives of this Directive, in particular to adjust its Annexes to any technical, operational or scientific developments, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending Parts A, B and D of Annex I that governs the specifications of physical driving licences; amending Part C of Annex I that lays down the specifications for mobile driving licences; amending Part E of Annex I that governs the rules on the applicable national and Union codes; amending Annexes II, III, V and VI specifying certain minimum requirements concerning the issuance, validity and renewal of driving licences; and amending Annex IV laying down the minimum standards for examiners. Such empowerment should be granted for a period of five years, given the fact that technical, operational and scientific developments in the matters governed by these Annexes occur on a frequent basis. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better

Law-Making[6]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(37) In a context of gradual digitalisation and automation, of ever more stringent emission reduction requirements of road transport, as well as of constant technological progress of power-driven vehicles, it is necessary to keep all drivers up to date in terms of knowledge about road safety and sustainability. The promotion of lifelong training can be key in keeping experienced drivers' skills up to date in terms of road safety, new technologies, ecodriving, which improves fuel efficiency and reduces emissions, and speed management.

(38) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission to specify interoperability features and security measures applicable to the QR codes introduced on physical driving licences; provisions related to interoperability, security and testing of mobile driving licences; the extension of the period of administrative validity of driving licences across the Union in case of a crisis; the content of the self-assessment on physical and mental fitness to be conducted for drivers of group 1; the conditions of the exchange of driving licences from third countries for driving licences issued by Member States without recording the fact of exchange on the driving licence; as well as interoperability between national systems connected to the EU driving licence network and the protection of personal data exchanged in that context. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[7].

(39) For the sake of consistency, Directive (EU) 2022/2561 of the European Parliament and of the Council[8], which addresses certain matters covered by this Directive, and Regulation (EU) 2018/1724 should be amended.

(40) Directive 126/2006/EC and Commission Regulation (EU) No 383/2012[9] should be repealed.

(41) Since the objectives of this Directive cannot be sufficiently achieved by the Member States as the rules governing the issuance, renewal, replacement and exchange of driving licences would lead to so diverse requirements, that the level of road safety and free movement of citizens harmonized rules provide for, could not be achieved, such objectives are better achieved at Union level by way of laying down minimum requirements. Therefore the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

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6 OJ L 123, 12.5.2016, p. 1.

7 Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

8 Directive (EU) 2022/2561 of the European Parliament and of the Council of 14 December 2022 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers (OJ L 330, 23.12.2022, p. 46).

9 Commission Regulation (EU) No 383/2012 of 4 May 2012 laying down technical requirements with regard to driving licences which include a storage medium (microchip) (OJ L 120, 5.5.2012, p. 1).

(42) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [DD/MM/YYYY].

(43) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents[10], Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Subject matter and scope

1. This Directive lays down common rules on:

   (a) the models, standards and categories of driving licences;

   (b) the issuance, validity, renewal, and mutual recognition of driving licences;

   (c) certain aspects of the exchange, replacement, withdrawal, restriction, suspension and cancelation of driving licences;

   (d) certain aspects applicable to novice drivers.

2. This Directive does not apply to power-driven vehicles running on wheels or tracks, having at least two axles, the principal function of which lies in their tractive power, which are specially designed to pull, push, carry or operate certain tools, machines or trailers used in connection with agricultural or forestry operations, and the use of which for carrying persons or goods by road or drawing, on the road, vehicles used for the carriage of persons or goods is only a secondary function.

Article 2

Definitions

For the purposes of this Directive, the following definitions apply:

(1) 'driving licence' means an electronic or physical document that certifies the right to drive power-driven vehicles and states the conditions under which the holder is authorised to drive;

(2) ‘physical driving licence’ means a driving licence in its physical format, issued in accordance with Article 4;

(3) ‘mobile driving licence’ means a driving licence in its digital format, issued in accordance with Article 5;

(4) 'power-driven vehicle' means any self-propelled vehicle running on a road under its own power, other than a rail-borne vehicle;

[10] OJ C 369, 17.12.2011, p. 14.

(5) ‘two-wheel vehicle’ means a vehicle referred to in Article 4(2), point (a), of Regulation (EU) No 168/2013 of the European Parliament and of the Council[11];

(6) ‘three-wheel vehicle’ means a vehicle referred to in Article 4(2), point (b), of Regulation (EU) No 168/2013;

(7) ‘light quadricycle’ means a vehicle as referred to in Article 4(2), point (f), of Regulation (EU) No 168/2013;

(8) ‘motorcycle’ means a two-wheel vehicle with or without a sidecar, as referred to in Article 4(2), point (c) and (d) of Regulation (EU) No 168/2013;

(9) ‘powered tricycle’ means a vehicle with three symmetrically arranged wheels, as referred to in Article 4(2), point (e) of Regulation (EU) No 168/2013;

(10) ‘motor vehicle' means any power-driven vehicle which is normally used for carrying persons or goods by road or for drawing, on the road, vehicles used for the carriage of persons or goods. This term shall include trolleybuses, that is vehicles connected to an electric conductor and not track-based.

(11) ‘heavy quadricycle’ means vehicles as referred to in Article 4(2), point (g), of Regulation (EU) No 168/2013;

(12) ‘driving disqualification’ means any decision which results in the withdrawal, cancellation, restriction or suspension of the driving licence or of the right to drive of a driver of a power-driven vehicle and which is no longer subject to a right of appeal. The measure may constitute either a primary, secondary or supplementary penalty or a safety measure.

Article 3

Union standard specifications on driving licences and mutual recognition

1. Member States shall ensure that their national driving licences are issued in accordance with the provisions of this Directive and comply with the Union standard specifications and other criteria pursuant to:

   (a) Article 4 for physical driving licences;

   (b) Article 5 for mobile driving licences.

2. Member States shall ensure that physical and mobile driving licences issued to the same person are fully equivalent between them, and state the exact same set of rights and conditions under which that person is authorised to drive.

3. Member States shall not, as a prerequisite, require the possession of a physical or mobile driving licence from the applicant when issuing, replacing, renewing, or exchanging a driving licence in the other format.

4. By [date-of-adoption+4 years], Member States shall ensure that only mobile driving licences are issued by default. Until that date, Member States may decide to issue mobile driving licences.

[11] Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L 60, 2.3.2013, p. 52).

5. By way of derogation from paragraph 4, upon request of the applicant, Member States shall provide the opportunity for a physical driving licence to be issued instead of, or together with, a mobile driving licence.

6. Driving licences issued by Member States shall be mutually recognised.

7. By way of derogation from paragraph 6, Member States shall only mutually recognise mobile driving licences that were issued after [date-of-adoption+3 years] in accordance with Article 5. Mobile driving licences that were issued before that date but meet the requirements of Article 5 shall be mutually recognised after that date.

Article 4

Physical driving licences

1. Member States shall issue physical driving licences based on the Union standard specifications laid down in Annex I, Part A1.

2. Member States shall take all necessary steps to avoid any risk of forgery of driving licences, including that of model driving licences issued before the entry into force of this Directive. They shall inform the Commission thereof.

   The physical driving licence shall be made secure against forgery by means of the Union standard specifications laid down in Annex I, Part A2. Member States may introduce additional security features.

3. Where the holder of a valid physical driving licence without an administrative validity period takes up normal residence in a Member State other than that which issued that driving licence, the host Member State may, as of two years after the date on which the holder has taken up normal residence on its territory, apply the administrative validity periods set out in Article 10(2), by renewing the driving licence.

4. Member States shall ensure that by 19 January 2030, all physical driving licences issued or in circulation fulfil all the requirements of this Directive.

5. Member States may decide to introduce a storage medium (microchip) as part of the physical driving licence. Where a Member State decides to introduce a microchip as part of their physical driving licence it may, where its national laws related to driving licences provide for it, also decide to store data additional to what is specified in Annex I, Part D, on the microchip.

   When Member States provide for the microchip as part of the physical driving licence, they shall apply technical requirements laid down in Annex I, Part B. Member States may introduce additional security features

   Member States shall inform the Commission in the event of a decision on including a microchip on their physical driving licences, or of any change concerning such a decision, within three months of its adoption. Member States that have already introduced a microchip on their physical driving licences shall inform the Commission accordingly within three months from the date of entry into force of this Directive.

6. Where the microchip is not introduced as part of the physical driving licence, Member States may also decide to print, in the space reserved for that purpose, a QR

code on the physical driving licences that are issued by them. The QR code shall allow the verification of the authenticity of the information reported on the physical driving licence.

7. Member States shall ensure that the personal data necessary for the verification of the information reported on the physical driving licence is not retained by the verifier and that the issuing authority of the driving licence is not notified about the verification process.

The Commission shall adopt implementing acts laying down detailed provisions concerning the interoperability features and the security measures to be complied with by QR codes printed on physical driving licences. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

Member States shall inform the Commission of any measure aimed at the introduction of a QR code on their driving licences or of any change of such measure, within three months of its adoption.

8. The Commission is empowered to adopt delegated acts, in accordance with Article 21, to amend Annex I, Parts A, B and D, where necessary in order to take account of technical, operational or scientific developments.

Article 5

Mobile driving licences

1. Member States shall issue mobile driving licences based on the Union standard specifications laid down in Annex I, Part C.

2. Member States shall ensure that electronic applications established for mobile driving licences, in order to enable verification of the existence of the driving rights of the holder of the driving licence, are available to persons having their normal residence in their territory, or to persons who are otherwise entitled to hold mobile driving licences issued by them, free of charge.

These applications shall be based on the European Digital Identity Wallets issued in accordance with Regulation (EU) No 910/2014 of the European Parliament and of the Council[12].

3. Member States shall publish and regularly update the list of available electronic applications which are established and maintained for the purposes of this Article.

Member States shall ensure that the electronic applications do not contain or, in the case of applying a pointer, do not make available more data than referred to in Annex I, Part D.

4. Member States shall make available and regularly update each other on the information required to access the national systems referred to in Annex I, Part C, that are used for the verification of mobile driving licences.

[12] Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market (OJ L 257, 28.8.2014, p. 73).

Member States shall ensure that the personal data necessary for the verification of the driving rights of the holder of the mobile driving licence is not retained by the verifier and that the issuing authority of the driving licence processes the information received through the notification only for the purpose of responding to the verification request.

5. Member States shall inform the Commission of the list of relevant national systems authorised to issue data and pointers for mobile driving licences. The Commission shall make available to the public, through a secure channel, the list of such national systems of the Member States, in an electronically signed or sealed form suitable for automated processing.

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

7. By [date-of-adoption+18 months], the Commission shall adopt implementing acts laying down detailed provisions concerning the interoperability, security and testing of mobile driving licences, including verification features and the interface with national systems. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

Article 6

Licence categories

1. The driving licence shall authorise the driving of power-driven vehicles in the following categories:

(a) mopeds:

category AM:

– two-wheel vehicles or three-wheel vehicles with a maximum design speed of not more than 45 km/h (excluding those with a maximum design speed under or equal to 25 km/h);

– light quadricycles;

(b) motorcycles and powered tricycles:

(i) category A1:

– motorcycles with a cylinder capacity not exceeding 125 cubic centimetres, of a power not exceeding 11 kW and with a power/weight ratio not exceeding 0,1 kW/kg;

– powered tricycles with a power not exceeding 15 kW;

(ii) category A2:

– motorcycles of a power not exceeding 35 kW and with a power/weight ratio not exceeding 0,2 kW/kg and not derived from a vehicle of more than 70 kW.

(iii) Category A:

– motorcycles;

– powered tricycles with a power exceeding 15 kW;

(c) motor vehicles:

(i) category B1:

– heavy quadricycles.

Category B1 is optional; in Member States which do not introduce this category of driving licence, a driving licence for category B shall be required to drive such vehicles;

Member States may also decide to introduce this category exclusively for the vehicles referred to in Article 9(4), first subparagraph, point (c), and under the conditions provided for in that paragraph. Where a Member State decides to do so they shall mark this fact on the driving licence by the use of Union code 60.03.

(ii) category B:

– motor vehicles with a maximum authorised mass not exceeding 3 500 kg and designed and constructed for the carriage of no more than eight passengers in addition to the driver.

– motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg.

Without prejudice to the provisions of type-approval rules for the vehicles concerned, motor vehicles in this category may be combined with a trailer with a maximum authorised mass exceeding 750 kg, provided that the maximum authorised mass of this combination does not exceed 4 250 kg. Where such a combination exceeds 3 500 kg, Member States shall, in accordance with the provisions of Annex V, require that this combination only be driven after:

– a training has been completed, or

– a test of skills and behaviour has been passed.

Member States may also require both such a training and the passing of a test of skills and behaviour.

Member States shall indicate the entitlement to drive such a combination on the driving licence by means of the relevant Union code specified in Annex I, Part E.

(iii) category BE:

– without prejudice to the provisions of type-approval rules for the vehicles concerned, combination of vehicles consisting of a tractor vehicle in category B and a trailer or semi-trailer where the maximum authorised mass of the trailer or semi-trailer does not exceed 3 500 kg;

(iv) category C1:

– motor vehicles other than those in categories D1 or D, the maximum authorised mass of which exceeds 3 500 kg, but does not exceed 7 500 kg, and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver.

– Motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;

(v) category C1E:

– without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category C1 and its trailer or semi-trailer has a maximum authorised mass of over 750 kg provided that the authorised mass of the combination does not exceed 12 000 kg;

– without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category B and its trailer or semi-trailer has an authorised mass of over 3 500 kg, provided that the authorised mass of the combination does not exceed 12 000 kg;

(vi) category C:

– motor vehicles other than those in categories D1 or D, whose maximum authorised mass is over 3 500 kg and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver.

– Motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg.

(vii) category CE:

– without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category C and its trailer or semi-trailer has a maximum authorised mass of over 750 kg;

(viii) category D1:

– motor vehicles designed and constructed for the carriage of no more than 16 passengers in addition to the driver and with a maximum length not exceeding 8 meters.

– motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;

(ix) category D1E:

– without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category D1 and its trailer has a maximum authorised mass of over 750 kg.

(x) category D:

– motor vehicles designed and constructed for the carriage of more than eight passengers in addition to the driver; motor vehicles which may be driven with a category D licence may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg;

(xi) category DE:

– without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category D and its trailer has a maximum authorised mass of over 750 kg.

2. With the prior agreement of the Commission, which shall assess the impact of the proposed measure on road safety, Member States may exclude from the application of this Article certain specific types of power-driven vehicles, including special vehicles for persons with disabilities.

Member States may exclude from the application of this Directive types of vehicles used by, or under the control of, the armed forces and civil defence. They shall inform the Commission thereof.

Article 7

Minimum ages

1. The minimum age for issuing a driving licence shall be the following:

   (a) 16 years for categories AM, A1 and B1;

   (b) 18 years for categories A2, B, BE, C1 and C1E;

   (c) With regard to category A:

      (i) 20 years for motorcycles. However, access to the driving of motorcycles of this category shall be subject to a minimum of two years' experience on motorcycles under an A2 licence. The two years' experience requirement may be waived if the candidate is at least 24 years old;

      (ii) 21 years for powered tricycles exceeding 15 kW;

   (d) 21 years for categories C, CE, D1 and D1E;

   (e) 24 years for categories D and DE.

2. Member States may raise or lower the minimum age for issuing a driving licence:

   (a) for category AM down to 14 years or up to 18 years;

   (b) for category B1 up to 18 years;

   (c) for category A1 up to 18 years, provided that both of the following conditions are fulfilled:

      (i) there is a two years difference between the minimum age for category A1 and the minimum age for category A2;

      (ii) there is a requirement of a minimum of two years' experience on motorcycles of category A2 before access to the driving of motorcycles for category A can be granted, as referred to in paragraph 1, point(c)(i);

   (d) for categories B and BE down to 17 years.

3. Member States may lower the minimum age for category C to 18 years and for category D to 21 years with regard to:

   (a) vehicles used by the fire service and vehicles used for maintaining public order;

   (b) vehicles undergoing road tests for repair or maintenance purposes.

4. Driving licences issued in accordance with paragraphs 2 and 3 shall only be valid on the territory of the issuing Member State until the licence holder has reached the minimum age limit set out in paragraph 1.

   Member States may recognise the validity on their territory of driving licences issued to drivers under the minimum ages set out in paragraph 1.

5. By way of derogation from paragraph 1, points (d) and (e), of this Article, where the candidate holds a certificate of professional competence referred to in Article 6 of

Directive (EU) 2022/2561, the minimum age for issuing a driving licence shall be as follows:

(a) for categories C and CE, the minimum ages provided for in Article 5(2), point (a)(i) of Directive (EU) 2022/2561;

(b) for categories D1 and D1E, the minimum age provided for in Article 5(3) point (a)(i), second subparagraph, of that Directive;

(c) for categories D and DE, the minimum ages provided for in Article 5(3) point (a)(i) first subparagraph, Article 5(3) point (a)(ii) first subparagraph, and Article 5(3) point (b), of that Directive.

Where, in accordance with Article 5(3), point (a)(i), second subparagraph, or Article 5(3), point (a)(ii), second subparagraph of Directive (EU) 2022/2561, a Member State authorises driving within its territory from a lower age, the validity of the driving licence shall be limited to the territory of the issuing Member State until such time as the licence holder has reached the relevant minimum age referred to in the first subparagraph of this paragraph and holds a certificate of professional competence.

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 9

Staging and equivalences between categories

1. Driving licences for categories BE, C1, C1E, C, CE, D1, D1E, D and DE shall be issued only to drivers already entitled to drive vehicles in category B.

2. The validity of driving licences shall be determined as follows:

   (a) licences issued for categories C1E, CE, D1E or DE shall be valid for combinations of vehicles in category BE;

   (b) licences issued for category CE shall be valid for category DE as long as their holders are entitled to drive vehicles in category D;

   (c) licences issued for category C1E or CE shall be valid for category D1E as long as their holders are entitled to drive vehicles in category D1;

(d) licences issued for category CE and DE shall be valid for combinations of vehicles in categories C1E and D1E respectively;

(e) licences issued for any category shall be valid for vehicles in category AM. However, for driving licences issued on its territory, a Member State may limit the equivalences for category AM to categories A1, A2 and A, if that Member State imposes a practical test as a condition for obtaining category AM;

(f) licences issued for category A2 shall also be valid for category A1;

(g) licences issued for categories A, B, C or D shall be valid for categories A1, A2, B1, C1, or D1 respectively;

(h) two years after a driving licence, granted for category B, was issued for the first time it shall be valid for driving the alternatively fuelled vehicles referred to in Article 2 of Council Directive 96/53/EC[13] with a maximum authorised mass above 3 500 kg but not exceeding 4 250 kg without a trailer.

3. For driving on their territory, Member States may grant the following equivalences:

(a) powered tricycles under a licence for category B, for powered tricycles with a power exceeding 15 kW provided that the holder of the licence for category B is at least 21 years old;

(b) category A1 motorcycles under a licence for category B.

The equivalences provided for in the first subparagraph shall be mutually recognised by the Member States that granted them.

Member States shall not indicate on the driving licence that a holder is entitled to drive the vehicles referred to in the first subparagraph, except by means of the relevant Union codes specified in Annex I, Part E.

Member States shall inform the Commission without delay about equivalences referred to in the first subparagraph that are granted on their territory, including the national codes which may have been used before the entry into force of this Directive. The Commission shall make this information available to Member States for the purpose of facilitating the application of this paragraph.

4. Member States may authorise the driving on their territory of the following categories of vehicles:

(a) vehicles of category D1 with a maximum authorised mass of 3 500 kg, excluding any specialised equipment intended for the carriage of passengers with disabilities, by drivers over 21 years old holding a driving licence granted for category B, at least two years after such a driving licence was issued for the first time and provided that the vehicles are being used by non-commercial bodies for social purposes and that the driver provides his or her services on a voluntary basis;

(b) vehicles of a maximum authorised mass exceeding 3 500 kg by drivers over 21 years old holding a driving licence granted for category B, at least two years

[13] Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (OJ L 235, 17.9.1996, p. 59).

after such a driving licence was issued for the first time , provided that all of the following conditions are met:

(i) those vehicles are intended to be used, when stationary, only as an instructional or recreational area;

(ii) that they are used by non-commercial bodies for social purposes;

(iii) they have been modified so that they may not be used either for the transport of more than nine persons or for the transport of any goods other than those strictly necessary for their purposes;

(c) vehicles of category B with a maximum authorised mass of 2 500 kg and a maximum speed physically limited to 45 km/h by drivers below 21 years old holding a driving licence granted for category B1.

Member States shall not indicate on the driving licence that a holder is entitled to drive the vehicles referred to in the first subparagraph, points (a) and (b), except by means of relevant national codes.

Member States shall inform the Commission of any authorisations granted in accordance with this paragraph.

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 have 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;

(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) respectively 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 to five years or less for driving licences of holders residing on their territory having reached the age of 70, 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 renewal of the driving licence.

Member States may reduce the period of administrative validity set out in this paragraph 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 applicant 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 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 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.

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 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 driving licence which has been lost or stolen 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.

Article 12

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 point (a) of Article 10(3) 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 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.

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 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.

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 that third country 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 decision 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.

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.

   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 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 C 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 who 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;

(d) has not been subject to a decision in the field of criminal law resulting from a road-traffic related offence;

(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 of a given category issued for the first time shall be considered a novice driver and shall be subject to a probationary period of at least two years.

2. Member States shall lay down rules on penalties for novice drivers who drive 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.

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 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) 2016/1945[14] 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.

Article 19

Mutual assistance

1. Member States shall assist one another in the implementation of this Directive. They shall exchange information on the licences they have issued, exchanged, replaced, renewed, restricted, suspended, withdrawn, cancelled or revoked, on the driving disqualifications they have imposed or plan to enact and consult each other in order to verify whether an applicant for a driving licence is not subject to a driving disqualification in any Member State. They shall use the EU driving licence network set up for those purposes.

2. Member States may also use the EU driving licence network for the exchange of information for the following purposes:

   (a) to enable their authorities to verify the validity and authenticity of a driving licence during road-side checks or as part of anti-forgery measures;

   (b) to facilitate investigations that aim to identify the liable person for road-safety-related traffic offences, in accordance with Directive (EU) 2015/413 of the European Parliament and of the Council[15];

   (c) to prevent, detect and investigate criminal offences as referred to in [REFERENCE TO PRÜM II];

   (d) to enforce Directive (EU) 2022/2561;

   (e) to implement and enforce [NEW DIRECTIVE ON THE UNION-WIDE EFFECT OF CERTAIN DRIVING DISQUALIFICATIONS].

3. Access to the network shall be secured. The network shall provide for both synchronous (real time) and asynchronous exchange of information, and for the sending and receiving of secured messages, notifications and attachments.

   Member States shall take all necessary steps to ensure that the information exchanged through the network is up-to-date.

   Member States may grant access for the network only to the authorities competent for the purposes referred to in paragraphs 1 and 2.

4. Member States shall also assist each other in the implementation of the mobile driving licence, in particular to guarantee the seamless interoperability between the applications and verification features referred to in Annex I, Part C.

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

[15] Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information on road-safety-related traffic offences (OJ L 68, 13.3.2015, p. 9).

5. In order to ensure interoperability between national systems connected to the EU driving licence network and the protection of personal data exchanged in this context, the Commission shall adopt by 6 June 2026 implementing acts laying down the detailed operational, interface and technical requirements of the EU driving licence network. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

6. Member States may cooperate in the enforcement of any partial restriction, suspension, withdrawal or cancellation of the right to drive or a driving licence, in particular where the respective measures are limited to certain driving licence categories or to the territories of certain Member States, in particular through endorsements on the driving licences they have issued.

Article 20

Review

Member States shall inform the Commission on a yearly basis about the number of driving licences issued, renewed, replaced, withdrawn and exchanged, for each category, including data on the issuance and use of mobile driving licences.

By [entry into force + 5 years], and every five years thereafter, the Commission shall present a report to the European Parliament and the Council on the implementation of this Directive, including its impact on road safety.

Article 21

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(8), Article 5(6), Article 8(2), Article 10(8) and Article 16(2) shall be conferred on the Commission for a period of five years from [*Date of entry into force of the Directive*]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension no later than three months before the end of each period.

3. The delegation of power referred to in Article 4(8), Article 5(6), Article 8(2), Article 10(8) and Article 16(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(8), Article 5(6), Article 8(2), Article 10(8) and Article 16(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council, or if before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 22

Committee procedure

1. The Commission shall be assisted by the committee on driving licences. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

   Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so request.

   Where the committee delivers no opinion, the Commission shall not adopt the implementing act and Article 5(4), third subparagraph, of Regulation (EU) No 182/2011 shall apply.

3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011 shall apply.

Article 23

Amendments to Directive (EU) 2022/2561

In Article 5(2) of Directive (EU) 2022/2561, the following point (c) is added:

‘(c) from the age of 17, a vehicle in licence category C, provided they hold a CPC as referred to in Article 6(1) and only under the conditions laid down in Article 14(2) of Directive [REFERENCE-TO-THIS-DIRECTIVE];’

Article 24

Amendments to Regulation (EU) 2018/1724

In Annex II of Regulation (EU) 2018/1724, is amended as follows:

(a) in the second column, belonging to the row ‘Moving’, the following cell is added: ‘Acquiring and renewing a driving licence’;

(b) in the third column, belonging to the row ‘Moving’, the following cell is added: ‘Issuance, exchange and replacement of EU driving licences’.

Article 25

Transposition

1. Member States shall adopt and publish, by [date-of-adoption+2 years] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

   They shall apply those provisions as from [date-of-adoption+3 years].

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

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

Article 26

Repeal

1. Directive 2006/126/EC is repealed with effect from [date-of-adoption+3 years].

   References made to Directive 2006/126/EC shall be construed as references to this Directive and be read in accordance with the correlation table in Annex VII.

2. Regulation (EU) No 383/2012 is repealed with effect from [date-of-adoption+3 years].

3. References made Regulation (EU) No 383/2012 shall be construed as references to Annex I, Part B, to this Directive, and be read in accordance with the correlation table in Annex VII.

Article 27

Entry into force

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

Article 28

Addressees

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

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 and repealing Commission Regulation (EU) No 383/2012.

1.2. Policy area(s) concerned

Transport, road Safety

1.3. The proposal/initiative relates to:

☐ **a new action**

☐ **a new action following a pilot project/preparatory action**[66]

☒ **the extension of an existing action**

☐ **a merger or redirection of one or more actions towards another/a new action**

1.4. Objective(s)

1.4.1. General objective(s)

The general objectives are to improve road safety and facilitate the free movement of persons

1.4.2. Specific objective(s)

- Improving driving skills, knowledge, and experience, and reduce and punish dangerous behaviour.
- Ensuring adequate physical and mental fitness of drivers across the EU.
- Removing inadequate or unnecessary barriers affecting applicants and holders of driving licences.

1.4.3. Expected result(s) and impact

Positive societal effects are expected in terms of impacts on road safety and on the free movement of persons. About 1,153 lives are estimated to be saved and 11,020 serious injuries avoided over 2025-2050, relative to the baseline, by improving the skills and knowledge of drivers, and by reducing the number of drivers on Union roads that have a dangerous behaviour or that are medically unfit to drive. In monetary terms, the reduction in the external costs of accidents is estimated to around EUR 7.1 billion, expressed as present value over 2025-2050 relative to the baseline. In addition, the measures are expected to remove unjustified or unnecessary obstacles to obtain, have recognised or renew driving rights. Most notably for

[66] As referred to in Article 58(2)(a) or (b) of the Financial Regulation.

residents in the European Union and holders of foreign driving licences obtained in another Member State than their country of citizenship, drivers of alternatively fuelled vans and campervans, persons suffering from diabetes mellitus and professional drivers.

Finally, positive effects are expected for the public administrations (EUR 4.8 billion cost savings), for the private sector (EUR 1.5 billion cost savings) and for citizens (EUR 6.6 billion cost savings) relative to the baseline, expressed as present value over the 2025-2050 period, notably due to the complete harmonisation of the administrative validity and to the introduction of the EU mobile driving licence.

1.4.4. Indicators of performance

Since the general objective is the improvement of road safety, the core indicator to measure success of the initiative would be a reduction in the number of road fatalities and the number of seriously injured persons in accidents for which the driver is considered one of the causes. For that purpose, the number of accidents will be considered in total and when certain conditions are met (e.g., the ones involving only one vehicle or those where the driver was novice or physically/mentally unfit to drive). The indicator will have to also consider overall road safety developments and the evolution of road traffic and of licences' numbers in each Member State (to take account of other possible factors).

In relation to the second general objective of facilitating the free movement of persons, the core indicator to measure success of the initiative would be a reduction in the number of complaints and court cases in relation to the driving licences' procedures.

The indicators related to both objectives will continue however to be relatively difficult to assess because of the multiple underlying causes of accidents, the unavailability of data and the low number of complaints and court cases in relation to driving licences' procedures.

For the objective "Improving driving skills, knowledge and experience and reduce and punish dangerous behaviour", the success will be measured by the fact that standards on skills, knowledge, and probationary periods to be met for the first issuance of a driving licence are harmonised and dangerous behaviour is sanctioned irrespectively of the residence of the offender.

On "fitness to drive", the share of drivers regularly medically screened, depending on health status and age will be a measure of success. For the removal of barriers affecting applicants and holders of driving licences, the number of MS issuing mobile driving licences and/or recognising EU mobile driving licences will be a measure of success, as well as a low number of complaints and court cases where normal residence is an obstacle to the recognition of existent driving rights.

The Commission will monitor the implementation and effectiveness of this initiative through several actions and a set of core indicators that will measure progress towards achieving the operational objectives. Five years after the end of the transposition period of the legislative act, the Commission services should carry out an evaluation to verify to what extent the objectives of the initiative have been reached.

Established monitoring instruments (e.g., the CARE database) will be used to monitor the correlation between road accidents and driving licences. The reporting will include information on the number of accidents with injuries and/or fatalities as well as on the drivers involved such as their age, validity and issuing date of their driving licences and results of their drug/alcohol tests. To allow, to the maximum extent possible, to separate the effects of the revised Directive from other factors, statistics on the number of driving licences issued will be retrieved from Member States. It should allow to assess the relative evolution of road safety for the main groups of drivers affected by the revision (e.g., novice drivers, drivers will health conditions).

Statistics will also continue to be produced by the Commission regarding the use of the RESPER network for the exchange of information on driving licences, established under Article 15 of Directive 2006/126/EC. The Commission may also explore the possibility to complement this information with statistics produced by the EUCARIS, the application used by several Member States to connect to RESPER.

With respect to interoperability of the EU mobile driving licence, a dedicated working group under the Committee established under Article 21 of the Directive will monitor the progress with the objective to identify and solve potential issues.

The Commission will also invite Member States to share statistics acquired from national registries, as it has been done in the frame of the support study for this impact assessment, on the number of licences issued per categories, per gender and per age group.

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

This EU initiative provides for the fourth successive set of Union rules governing driving licences (first introduced in 1980 by Directive 80/1263/EEC)[67]. Those rules contributed to reduce road fatalities by 61.5% from around 51,400 in 2001 to around 19,800 in 2021. However, the improvement in road safety has not been as strong as needed.

To further reduce fatalities and injuries on the EU roads the proposal incoporporates several measures like increased digitalization, including the introduction of digital driving licences, the update to technological progress such as automated driving systems and sustainability. One of the amendments due to the electrification of the current car fleet in Europe is that automatic gear boxes will become the standard in

[67] The first Directive on driving licences (Directive 80/1263/EEC) introduced the very first set of rules in the EU as regards harmonisation of the national driving licence schemes, in particular through the introduction of a Community model of the licence, the preliminary definition of vehicles' categories and by laying down the conditions under which driving licences can be issued or exchanged across the EU. These rules were further refined and extended in the second driving licences Directive (Directive 91/439/EEC). Most importantly, the mutual recognition of driving licences issued by Member States was established and requirements for a minimum age to obtain a driving licence were introduced. Directive 2006/126/EC was approved in December 2006 and has been amended eleven times between 2009 and 2020, mainly to improve the harmonisation of common standards and requirements, as well as to adapt to technological developments

training and driving examinations, with the consequent redraw of the code 78 limitation.

Training requirements are also updated including using digital means, as well the methods to verify and guarantee the adequate fitness to drive. We are also considering the introduction of a training scheme based on accompanied driving, so that novice drivers would drive a higher number of kilometres while accompanied before getting their driving licence. This would not affect the minimum age to drive unaccompanied, but it would reflect the best practice from several Member States.

The proposal also builds on the experience gained in several Member States as regards probationary periods, introducing a two-year timeframe whereby novice drivers are subject to stricter rules. The proposal also improves the safe accessibility to driving licences by all EU citizens and third country nationals and will look at solutions to further empower Member States to reduce the number of dangerous drivers on EU roads.

1.5.2. Added value

Without this EU intervention, the cooperation on driving licences between Member States would be ensured by means of bi- or multilateral agreements which would result in higher complexity of the licencing system and a higher administrative burden for the licence holders. Moreover, some of the remaining issues today are due to different implementations of the Directive in Member States.

Drivers might also face administrative issues when travelling to Member States that are not contracting parties to the Vienna Convention, for example the requirement to hold an international driving permit. Finally, when changing residence in the EU, holders of EU driving licences would have to obtain a new driving licence issued by their new country of residence, either by means of an administrative exchange or by passing the driving test like any other applicant.

In addition, the conditions to obtain a driving licence would vary, resulting in an unequal treatment of EU citizens and less effectiveness in terms of road safety.

1.5.3. Lessons learned from similar experiences in the past

As mentioned in point 1.5.1, the revision of the Driving Licence Directive will result in the adoption of a fourth act addressing this topic. The first three Directives have already contributed significantly to an improvement of road safety and of the free movement of people, resulting in drivers who are more skilled and knowledgeable and better fit to drive. In addition, the impunity of traffic offenders has been reduced with the introduction of a single driving licence in the EU and the establishment of the RESPER network.

1.5.4. Compatibility with the Multiannual Financial Framework and possible synergies with other appropriate instruments

The proposed revision of the Driving Licence Directive is consistent with other EU instruments and relevant EU policies, as well as international obligations (UNECE conventions on road traffic Geneva 1949 and Vienna 1968). The Directive governs driving rights according to vehicle categories. Certain categories are defined by reference to EU rules namely:

– Regulation (EU) No 168/2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles[68], allowing to identify the types of mopeds, motorcycles, motor tricycles and quadricycles.

– Council Directive 96/53/EC laying down the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic[69], allowing to identify the types of alternatively fuelled vehicles;

The Directive also determines the minimum ages to obtain a driving licence for (future) professional drivers, which are subject to Directive (EU) 2022/2561 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers[70].

In addition, rules on the protection of personal data also apply to the exchange of information related to driving licences, in particular:

– Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the European Union institutions, bodies, offices and agencies and on the free movement of such data[71];

– Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)[72]; and Directive (EU) 2016/680 of the European Parliament and of the Council[73].

Finally, the Commission has adopted on 3 June 2021 a proposal[74] for the revision of Regulation (EU) No 910/2014[75] as regards establishing a framework for a European Digital Identity. This new framework provides building blocks relevant to the mobile driving licences. In particular, the electronic identity and, potentially, the electronic wallet features can be used to develop an interoperable solution for EU mobile driving licences.

To ensure consistency of the Driving Licence Directive with the other legal instruments concerning aspects of enforcement of road traffic rules, a negotiating package is established, which consists of three initiatives – besides this proposal for a new Directive on driving licences, it also contains a proposal for a Directive amending Directive (EU) 2015/413 facilitating cross-border exchange of information

68 OJ L 60, 2.3.2013, p. 52–128

69 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:01996L0053-20190814 OJ L 235, 17.9.1996, p. 59–75

70 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02003L0059-20190726 OJ L 226, 10.9.2003, p. 4–17

71 https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32018R1725OJ L 295, 21.11.2018, p. 39–98

72 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02016R0679-20160504 OJ L 119, 4.5.2016, p. 1–88

73 Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, OJ L 119, 4.5.2016, p. 89

74 https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM%3A2021%3A281%3AFIN

75 Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market, OJ L 257, 28.8.2014, p. 73

on road-safety-related traffic offences and a proposal for a Directive on the Union-wide effect of certain driving disqualifications.

1.5.5. Assessment of the different available financing options, including scope for redeployment

The one-off costs in 2025 and ongoing adjustment costs of the Commission until 2050 are mainly related to setting up an expert group to allow authorities to share information and best practices in relation to physical and mental fitness to drive and the development of an online training programme on fitness to drive for general practitioners. The establishment of those two initiatives does not require an increase of human resources.

1.6. Duration and financial impact of the proposal/initiative

☐ **limited duration**

– ☐ in effect from [DD/MM]YYYY to [DD/MM]YYYY

– ☐ Financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

☒ **unlimited duration**

– Implementation with a start-up period from YYYY to YYYY,

– followed by full-scale operation.

1.7. Method(s) of budget implementation planned[76]

☒ **Direct management** by the Commission

– ☐ by its departments, including by its staff in the Union delegations;

– ☐ by the executive agencies

☐ **Shared management** with the Member States

☐ **Indirect management** by entrusting budget implementation tasks to:

– ☐ third countries or the bodies they have designated;

– ☐ international organisations and their agencies (to be specified);

– ☐ the EIB and the European Investment Fund;

– ☐ bodies referred to in Articles 70 and 71 of the Financial Regulation;

– ☐ public law bodies;

– ☐ bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees;

– ☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees;

[76] Details of budget implementation methods and references to the Financial Regulation may be found on the BUDGpedia site: https://myintracomm.ec.europa.eu/corp/budget/financial-rules/budget-implementation/Pages/implementation-methods.aspx

– ☐ bodies or persons entrusted with the implementation of specific actions in the CFSP pursuant to Title V of the TEU, and identified in the relevant basic act.

– *If more than one management mode is indicated, please provide details in the 'Comments' section.*

The implementation of the proposal requires the establishment and maintenance of an expert group to allow authorities to share information and best practices in relation to physical and mental fitness to drive and the development of an online training programme on fitness to drive for general practitioners. The establishment of those initiatives does not require an increase of human resources.

- the recurring adjustment costs between 2025-2028 incurred by the establishment of the expert group to allow authorities to share information and best practices in relation physical and mental fitness to drive are estimated at 30.000€ per year.

- the non-recurring adjustment (one-off) costs of 80.000 € are foreseen in 2025 incurred by the establishment and the development of an online training programme on fitness to drive for general practitioners;

- ongoing adjustment costs (update of the online training programme on fitness to drive for general practitioners) estimated at approx. 80.000€ every 5 years.

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

Specify frequency and conditions.

The tasks directly implemented by DG MOVE will follow the annual cycle of planning and monitoring, as implemented in the Commission and the executive agencies, including reporting the results through the Annual Activity Report of DG MOVE.

According to Article 20 of the Driving Licence Directive, Member States shall inform the Commission on a yearly basis about the number of driving licences issued, renewed, replaced, withdrawn and exchanged, for each category, including data on the issuance and use of mobile driving licences.

The Commission will also assess the correct transposition of the Directive by the Member States.

2.2. Management and control system(s)

2.2.1. Justification of the management mode(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed

The unit within DG MOVE in charge of the policy field will manage the implementation of the Directive.

The expenditure will be implemented under direct management, in full application of the provisions of the Financial Regulation. The control strategy for procurements and grants in DG MOVE includes specific ex-ante legal, operational and financial controls on the procedures (including, for procurements; a review by the advisory committee for procurement and contracts) as well as on the signature of contracts and agreements. In addition, expenditure made to procure goods and services is subject to ex ante and, when necessary, ex-post and financial controls.

2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them

As regards the implementation of the tasks related to the setup of the mechanism, the risks identied are linked to use of procurement procedures: delay, availability of data, timely information to the market, etc. These risks are covered under the Financial Regulation and mitigated by the set of internal controls deployed by DG MOVE for procurement of this value.

2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio of "control costs ÷ value of the related funds managed"), and assessment of the expected levels of risk of error (at payment & at closure)

DG MOVE reports annually, in its Annual Activity Report, on the cost of control of its activities. The risk profile and cost of controls for procurement activities are in line with the requirements.

The requested budgetary increase applies to the establishment and maintanence of an information platform for authorities to exchange on physical and mental fitness to drive and the development of an (online) training programme for general practitioners. Concerning the control activities related to the IT systems developed or managed by the directorate responsible for the proposal, the IT steering committee is

regularly monitoring the directorate databases and progress made, taking into account the simplification and cost-efficiency of the Commission IT resources.

2.3. Measures to prevent fraud and irregularities

Specify existing or envisaged prevention and protection measures, e.g. from the Anti-Fraud Strategy.

The regular Commission prevention and protection measures would apply, specifically:

- Payments for any services are checked by the Commission staff prior to payment, taking into account any contractual obligations, economic principles and good financial or management practice. Anti-fraud provisions (supervision, reporting requirements, etc.) will be included in all agreements and contracts concluded between the Commission and recipients of any payments.

- To combat fraud, corruption and other unlawful activities the provisions of Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-fraud Office (OLAF) shall apply without restriction.

DG MOVE adopted a revised Anti-fraud Strategy (AFS) in 2020. The MOVE AFS is based on the Commission Antifraud Strategy and a specific risk assessment carried out internally to identify the areas most vulnerable to fraud, the controls already in place and the actions necessary to improve DG MOVE's capacity to prevent, detect and correct fraud.

The contractual provisions applicable to public procurement ensure that audits and on-the-spot checks can be carried out by the Commission services, including OLAF, using the standard provisions recommended by OLAF.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff.[77]	from EFTA countries [78]	from candidate countries and potential candidates [79]	from other third countries	other assigned revenue
01	**02.200401**	Diff.	NO	NO	NO	NO

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff.	from EFTA countries	from candidate countries and potential candidates	from other third countries	other assigned revenue
	[XX.YY.YY.YY]		YES/NO	YES/NO	YES/NO	YES/NO

[77] Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.
[78] EFTA: European Free Trade Association.
[79] Candidate countries and, where applicable, potential candidates from the Western Balkans.

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

– The proposal/initiative does not require the use of operational appropriations

– X☐ The proposal/initiative requires the use of operational appropriations, as explained below. No additional appropriations will be necessary. The amounts needed to finance the project will be redeployed from the appropriations already programmed in the official financial programming under the specific budget items.

EUR million (to three decimal places)

Heading of multiannual financial framework	01	Single Market, Innovation and Digital

DG:MOVE			Year **2025**	Year **2026**	Year **2027**	Year **2028**	**TOTAL 2025-2028**
○ Operational appropriations							
Budget line[80] 02.200401	Commitments	(1a)	**0.110**	**0.030**	**0.030**	**0.030**	**0.200**
	Payments	(2a)	**0.110**	**0.030**	**0.030**	**0.030**	**0.200**
Budget line	Commitments	(1b)					
	Payments	(2b)					
Appropriations of an administrative nature financed from the envelope of specific programmes[81]							
Budget line		(3)					
TOTAL appropriations	Commitments	=1a+1b +3	0.110	0.030	0.030	0.030	0.200

[80] According to the official budget nomenclature.

[81] Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

for DG MOVE	Payments	=2a+2b +3	0.110	0.030	0.030	0.030	0.200

○ TOTAL operational appropriations	Commitments	(4)	0.110	0.030	0.030	0.030	0.200
	Payments	(5)	0.110	0.030	0.030	0.030	0.200
○ TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)					
TOTAL appropriations under HEADING <01> of the multiannual financial framework	Commitments	=4+ 6	0.110	0.030	0.030	0.030	0.200
	Payments	=5+ 6	0.110	0.030	0.030	0.030	0.200

<u>If more than one operational heading is affected by the proposal / initiative, repeat the section above:</u>

○ TOTAL operational appropriations (all operational headings)	Commitments	(4)								
	Payments	(5)								
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)								
TOTAL appropriations under HEADINGS 1 to 6 of the multiannual financial framework (Reference amount)	Commitments	=4+ 6								
	Payments	=5+ 6								

Heading of multiannual financial framework	7	'Administrative expenditure'

This section should be filled in using the 'budget data of an administrative nature' to be firstly introduced in the Annex to the Legislative Financial Statement (Annex 5 to the Commission decision on the internal rules for the implementation of the Commission section of the general budget of the European Union), which is uploaded to DECIDE for interservice consultation purposes.

EUR million (to three decimal places)

		Year **N**	Year **N+1**	Year **N+2**	Year **N+3**	Enter as many years as necessary to show the duration of the impact (see point 1.6)			**TOTAL**
DG: <…….>									
○ Human resources									
○ Other administrative expenditure									
TOTAL DG <…….>	Appropriations								

TOTAL appropriations under HEADING 7 of the multiannual financial framework	(Total commitments = Total payments)								

EUR million (to three decimal places)

		Year **N**[82]	Year **N+1**	Year **N+2**	Year **N+3**	Enter as many years as necessary to show the duration of the impact (see point 1.6)			**TOTAL**
TOTAL appropriations	Commitments								

82 Year N is the year in which implementation of the proposal/initiative starts. Please replace "N" by the expected first year of implementation (for instance: 2021). The same for the following years.

under HEADINGS 1 to 7 of the multiannual financial framework	Payments								

3.2.2. Estimated output funded with operational appropriations

Commitment appropriations in EUR million (to three decimal places)

Indicate objectives and outputs ⇩			Year **N**		Year **N+1**		Year **N+2**		Year **N+3**		Enter as many years as necessary to show the duration of the impact (see point 1.6)						**TOTAL**	
	OUTPUTS																	
	Type [83]	Average cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	Total No	Total cost
SPECIFIC OBJECTIVE No 1[84]…																		
- Output																		
- Output																		
- Output																		
Subtotal for specific objective No 1																		
SPECIFIC OBJECTIVE No 2 ...																		
- Output																		
Subtotal for specific objective No 2																		
TOTALS																		

[83] Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

[84] As described in point 1.4.2. 'Specific objective(s)…'

3.2.3. *Summary of estimated impact on administrative appropriations*

– X The proposal/initiative does not require the use of appropriations of an administrative nature

– ☐ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below:

EUR million (to three decimal places)

	Year **N**[85]	Year **N+1**	Year **N+2**	Year **N+3**	Enter as many years as necessary to show the duration of the impact (see point 1.6)			**TOTAL**
HEADING 7 of the multiannual financial framework								
Human resources								
Other administrative expenditure								
Subtotal HEADING 7 of the multiannual financial framework								
Outside HEADING 7[86] **of the multiannual financial framework**								
Human resources								
Other expenditure of an administrative nature								
Subtotal outside HEADING 7 of the multiannual financial framework								
TOTAL								

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

[85] Year N is the year in which implementation of the proposal/initiative starts. Please replace "N" by the expected first year of implementation (for instance: 2021). The same for the following years.

[86] Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

3.2.3.1. Estimated requirements of human resources

– The proposal/initiative does not require the use of human resources.

– ☐ The proposal/initiative requires the use of human resources, as explained below:

Estimate to be expressed in full time equivalent units

		Year **N**	Year **N+1**	Year **N+2**	Year **N+3**	Enter as many years as necessary to show the duration of the impact (see point 1.6)		
O Establishment plan posts (officials and temporary staff)								
20 01 02 01 (Headquarters and Commission's Representation Offices)								
20 01 02 03 (Delegations)								
01 01 01 01 (Indirect research)								
01 01 01 11 (Direct research)								
Other budget lines (specify)								
O External staff (in Full Time Equivalent unit: FTE)[87]								
20 02 01 (AC, END, INT from the 'global envelope')								
20 02 03 (AC, AL, END, INT and JPD in the delegations)								
XX 01 xx **yy zz** [88]	- at Headquarters							
	- in Delegations							
01 01 01 02 (AC, END, INT - Indirect research)								
01 01 01 12 (AC, END, INT - Direct research)								
Other budget lines (specify)								
TOTAL								

XX is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

Description of tasks to be carried out:

Officials and temporary staff	
External staff	

[87] AC= Contract Staff; AL = Local Staff; END= Seconded National Expert; INT = agency staff; JPD= Junior Professionals in Delegations.

[88] Sub-ceiling for external staff covered by operational appropriations (former 'BA' lines).

3.2.4. *Compatibility with the current multiannual financial framework*

The proposal/initiative:

– [X] can be fully financed through redeployment within the relevant heading of the Multiannual Financial Framework (MFF).

Amounts needed to finance the project will be redeployed from budget line 02.200401.

– ☐ requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation.

Explain what is required, specifying the headings and budget lines concerned, the corresponding amounts, and the instruments proposed to be used.

– ☐ requires a revision of the MFF.

Explain what is required, specifying the headings and budget lines concerned and the corresponding amounts.

3.2.5. *Third-party contributions*

The proposal/initiative:

– [X] does not provide for co-financing by third parties

– ☐ provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year **N**[89]	Year **N+1**	Year **N+2**	Year **N+3**	Enter as many years as necessary to show the duration of the impact (see point 1.6)			Total
Specify the co-financing body								
TOTAL appropriations co-financed								

[89] Year N is the year in which implementation of the proposal/initiative starts. Please replace "N" by the expected first year of implementation (for instance: 2021). The same for the following years.

3.3. Estimated impact on revenue

– ☒ The proposal/initiative has no financial impact on revenue.

– ☐ The proposal/initiative has the following financial impact:

☐ on own resources

☐ on other revenue

please indicate, if the revenue is assigned to expenditure lines ☐

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative[90]						
		Year **N**	Year **N+1**	Year **N+2**	Year **N+3**	Enter as many years as necessary to show the duration of the impact (see point 1.6)		
Article …….								

For assigned revenue, specify the budget expenditure line(s) affected.

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

[90] As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e., gross amounts after deduction of 20 % for collection costs.