

EUROPEAN DATA PROTECTION SUPERVISOR

Summary of the Opinion of the European Data Protection Supervisor on the proposal for a Directive of the European Parliament and the Council on the Union-wide effect of certain driving disqualifications

(2023/C 175/04)

(The full text of this opinion can be found in English, French and German on the EDPS website <https://edps.europa.eu>)

On 1 March 2023 the European Commission issued a proposal for a Directive of the European Parliament and of the Council on the Union-wide effect of certain driving disqualifications ('the proposal').

The objective of the proposal is to improve road safety across the Union, by laying down rules providing for Union-wide effect of driving disqualifications for major road-safety related offences, committed in a Member State other than the one that issued the driving licence of the offender.

The EDPS is satisfied with the elements given in the Explanatory Memorandum and the Preamble of the proposal as they are sufficiently detailed and founded to support the legitimacy of the proposal and the necessity to exchange information with the Member State of issuance.

The EDPS welcomes the fact that the proposal aims to limit the exchange of personal data with the Member State of issuance to what is necessary to comply with the obligations laid down in the proposal.

1. INTRODUCTION

1. On 1 March 2023 the European Commission issued a proposal for a Directive of the European Parliament and of the Council on the Union-wide effect of certain driving disqualifications ⁽¹⁾ ('the proposal').
2. The proposal forms part of a larger legislative package, referred to as the 'Road Safety Package' which also includes:
 - a. 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 ⁽²⁾ and
 - b. Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences ⁽³⁾.
3. The objective of the proposal is to improve road safety across the Union, by laying down rules providing for Union-wide effect of driving disqualifications for major road-safety related offences, committed in a Member State other than the one that issued the driving licence of the offender ⁽⁴⁾.
4. The present opinion of the EDPS is issued in response to a consultation by the European Commission of 1 March 2023, pursuant to Article 42(1) of EUDPR ⁽⁵⁾. The EDPS welcomes the reference to this consultation in Recital 31 of the proposal.

⁽¹⁾ COM(2023)128 final.

⁽²⁾ OJ L 68, 13.3.2015, p. 9.

⁽³⁾ OJ L 403, 30.12.2006, p. 18.

⁽⁴⁾ COM(2023)128 final, p. 15 and Recital 8.

⁽⁵⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

3. CONCLUSIONS

16. In light of the above, the EDPS considers that the proposal provides for sufficient justification for the establishment of a framework providing for Union-wide effect of driving disqualifications for major road-safety related offences committed in a Member State other than the one that issued the driving licence of the offender. The EDPS further considers that the proposal limits in an adequate manner the personal data to be exchanged with the Member State of issuance to comply with the obligations laid down in the proposal.
17. The EDPS recalls that he expects to be consulted on the forthcoming implementing act(s) to be adopted pursuant to Article 5(1) of the proposal.

Brussels, 25 April 2023.

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