



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 28 November 2005

**Interinstitutional File:
2003/0252 (COD)**

14980/05

LIMITE

**TRANS 256
CODEC 1092**

REPORT

From : Permanent Representatives Committee (part 1)
to : Council

No. prev. doc. : 13978/05/05 TRANS 217 CODEC 975
No. Cion prop. : 15820/03 TRANS 360 CODEC 1773

Subject : ***LAND TRANSPORT***
Proposal for a Directive of the European Parliament and of the Council on driving licences (Recasting)
- ***Political Agreement***

Content of the proposal

1. This proposal, presented by the Commission in December 2003, aims, through a harmonisation of national legislations pertaining to driving licences, to:
 - a) improve the free movement of Community citizens, by ensuring and facilitating mutual recognition of all licences (single driving licence model, limited administrative validity).
 - b) reduce the possibilities for fraud (plastic card model).
 - c) increase road safety¹.

¹ The practical effects of the new scheme should contribute to increased road safety in as far as they address the problem of "driving licence tourism" and fraud, and set minimum standards regarding obligatory medical checks for professional drivers, as well as qualifications and continuous training for driving examiners.

Proceedings in the Council and European Parliament

2. Pending Parliament's opinion, the Council achieved a general approach on this proposal at the TTE Council of 7 October 2004.
3. This general approach reflects in its scope and content largely that of the Commission proposal. Among the main features of the general approach it should be noted that within six years after the entry into force of the Directive, all new driving licences will be based on a harmonised "plastic card" model. All new driving licences will have a limited administrative validity, i.e. 10 years for motorcycles and cars and 5 years for trucks and buses. As regards existing driving licences, the Council's general approach contains no obligation regarding their exchange against a new driving licence.
4. On 23 February 2005 the European Parliament adopted its opinion in 1st reading which in substance features only a limited number of differences compared to that of the Council's general approach. One important difference relates to the obligatory exchange of existing licences, which is requested by the European Parliament.
5. In view of this state of affairs, the Luxembourg Presidency, under a mandate from COREPER, explored with the European Parliament the possibility of achieving a so-called "early second reading" agreement (evidently a pre-negotiated common position) by conducting a series of discussions in the form of informal trialogues.
6. During these meetings the two institutions reached a provisional compromise concerning the following key issues:
 - The reclassification of motor caravans and vehicle-trailer combinations; (art. 4.4.b et al.)
 - The access regime to motorcycles; (art. 4.3. et al.)
 - The one person one licence approach; (art. 7.5 and art. 11.4)
 - The issue of the obligatory exchange of all existing driving licences documents; (art. 3.3 et al.).

These compromises can be considered as a big step forward in the improvement of road safety in so far as

- the driving of certain heavier motor vehicle - trailer combinations under a category B licence will be subject to additional training and/or practical testing, and
- access to heavier motorcycles (category A) will follow a "step-up" approach with an obligatory 2 year practical experience in a lower category, and direct access to category A motorcycles will be possible only at the age of 24 years.

With the compromises reached on Articles 7.5 and 11.4 additional provisions will be introduced in order to put an end to "driving licence tourism" within the Community.

7. The informal negotiations with the European Parliament were guided by a very constructive and cooperative spirit which is clearly reflected in the quality of the compromises reached. The EP TRAN Committee considers this new text and its compromise formulas as a package, which - if sent to the European Parliament as Common Position - could lead to a swift adoption in second reading. It is not to be expected that better results could be achieved if the Council decided to re-open the package and to enter into a conciliation procedure with the co-legislator.

State of play

8. The draft compromise text as it was presented to COREPER on 23 June 2005 contained a compromise formula on the "exchange" issue which ensured that 26 years after the entry into force of this draft Directive, all driving licences in circulation will have to be in conformity with the "single European model". Whilst the text could already be accepted by a large number of delegations, certain delegations considered it opportune to request an additional period of reflection before taking a final view on the matter.

9. TTE Council of 27/28 June 2005 took note of a report on the state of affairs presented by the Luxembourg Presidency², it being understood that the matter could be revisited - on the basis of the compromise achieved with the European Parliament - at a later Council.
10. On 25 November 2005 the Presidency presented this draft "compromise" Directive once again to COREPER and decided to forward it to Council for political agreement.

Conclusions

11. Council is accordingly invited to consider the draft Directive with a view to reaching a political agreement on a common position on the basis of the text presented in the Addendum to the document.
-

² docs. ST 10292/05 TRANS 124 CODEC 526 + ADD1