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MEMO

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New European driving licence for more security, safety and free movement

19 January 2013 will see the introduction of a European driving licence as part of the entry into force of the third EU Driving Licence Directive. The new rules will guarantee a true freedom of movement to EU drivers, reinforce safety on European roads and reduce possibilities of fraud.

1. What are the benefits of a new driving licence system in Europe?

About 60% of the Union's population holds a valid driving licence, around 300 million citizens. A great number of these Europeans make cross-border trips within the Union for private or professional purposes or change country of residence. Today, Europe has more than 110 different driving licence models with different entitlements and validity periods. The new European driving licence will simplify this patchwork and facilitate the **mobility of drivers across Europe**. Harmonised validity periods and medical examination rules will give more legal certainty for many Europeans who move to another Member State.

A driving licence not only gives access to all kinds of vehicles in many EU countries it can also be used as an identification document. Therefore, **anti-fraud protection** is a major cause for concern. The new licence is almost impossible to falsify. It is backed up by a European electronic data exchange system, which will facilitate the management of driving licences by administrations and contribute to better detection of driving licence fraud.

Driving licence rules also have a great impact on **road safety**. With more than 30.000 deaths on European roads each year, the new driving licence rules will help to enhance safety on European roads. The changes for motorcycles are the most important. By introducing gradual access to motorcycles for young drivers the new European rules will much better protect this vulnerable group of road users. Furthermore, for car drivers and motorcyclists, the new document must be renewed every 10 to 15 years depending on the Member State while licences for bus and lorry drivers will be valid for five years and a medical check-up will be necessary for renewal. **These rules will not affect a right to drive a vehicle that was acquired beforehand.**

2. What are the main changes introduced by the new legislation on driving licences?

A new European driving licence card

To limit the number of different licence models that are in circulation, and to better protect against fraud, the paper driving licence model shall be phased-out. **The only European driving licence model to be issued shall be a plastic 'credit' card type**, already used in most EU countries, which allows for greater protection against forgery. Current paper driving licences will stop being issued from the entry into force of the new legislation.

Introduction of a compulsory administrative renewal for all new licences

A mandatory and regular administrative renewal of driving licences will ensure that all documents in circulation can be updated using the most up-to-date security features. Reducing the number of licence models will ease enforcement, and so will the greater likeness of the holder of the photo on the licence.

All new licences for **mopeds, motorcycles, cars, tricycles and quadricycles** shall have a maximum administrative validity of **10 years**. However Member States may choose to issue such licences with an administrative validity of up to 15 years.

All new driving licences for **trucks and buses** shall have a maximum administrative validity of **5 years**.

Drivers with licences issued before the entry into force of this Directive will be subject to the new rules on validity at the latest by 19 January 2033.

3. How will the new legislation on driving licences affect drivers?

With this new compulsory regular renewal of the driving licence document, the last remaining obstacles to the free movement of drivers are abolished. The main principle will be that all licences issued as of the date of application of the new Directive **will remain valid as stipulated on the driving licence**. Before expiry, the holder will have to renew the driving licence in the country where he is having his normal residence. From that date, the host Member State will apply the new administrative validity period and is allowed to impose a medical check if this is foreseen for its own citizens. These provisions will finally provide the necessary legal security for the holder of a driving licence.

With regard to the driving licences issued before the date of application of the current Directive and which are still valid and in circulation, all these driving licences will have to be replaced by a new driving licence at the latest **by 2033**. A Member State may also request that, as from two years after taking up residence in its country, the holder of a driving licence issued by another Member State without the validity periods prescribed by the Directive (e.g. indefinite validity period) renew his/her licence.

At the same time, the right to drive a certain type of vehicle will clearly be established by the new driving licence and thus easy to recognise by the holder, the administrative authorities and the enforcement authorities.

The Commission also proposes to clarify national rules governing medical examinations by:

- for drivers of trucks and buses, harmonising the periodicity of these checks, which have to be carried out at each renewal of the driving licence in accordance with the system in place in each country;
- for drivers of cars and riders of motorcycles, Member States will be left free to carry out regular examinations or not.

4. How will the new legislation on driving licences reduce possibilities of fraud?

Today, several types of fraud exist. They range from trafficking the document itself, obtaining duplicates unlawfully by suggesting theft or loss of the original licence, to obtaining a driving licence in a different country while being banned from driving in the home country.

The basic philosophy that underlies the fight against driving licence fraud is the principle that one person can only hold one driving licence. This principle has been reinforced by this Directive.

The regular renewal of driving licences will allow Member States to have a regularly updated national database and thus a constantly updated knowledge of the valid driving licences which are in circulation.

At the same time, the communication between the national authorities will be improved by creating a communication network for driving licences between them. The regular consultation of this network, named RESPER, will allow applying the new and stricter rules on the prohibition to issue a licence to someone whose licence has been withdrawn, suspended or restricted.

Furthermore, Member States are allowed, if they so wish, to insert a **microchip** in the licence. The repetition of the information printed on the card in the microchip increases the anti-fraud protection and at the same time ensures protection of the data. Of course, European legislation on the protection of personal data will have to be respected.

5. How will the new legislation on driving licences contribute to improved road safety?

Introduction of a new driving licence category for mopeds

No licence was needed to drive mopeds in the Union. However, accident figures show a high risk of accidents of very young road users. In some Member States very young riders, as young as 14, are allowed to ride mopeds.

Therefore, a **new harmonised licence category AM** has been introduced, which can be obtained after passing a **mandatory theory test**. This should allow to better control this vulnerable group of road users and make them more aware of traffic rules. It will also clarify the situation regarding moped riders crossing borders or renting a moped when on holiday. Moreover Member States may require applicants to pass a test of skills and behaviour for this category.

Introduction of a power/weight criterion for light motorcycles (licence category A1)

Light motorcycles were limited to 125 cc and 11 kW. No power to weight ratio was imposed. This could lead to ever lighter vehicles, thus achieving steadily increasing acceleration and top speed possibilities. Therefore licence holders of category A1 are only allowed to drive light 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**. All Member States have to introduce this category of licences which did not exist in all Member States.

Progressive access to the most powerful motorcycles

Previous legislation allowed many young riders without practical experience to ride the most powerful class of motorcycles. Accident statistics prove that the accident risk of novice riders of heavy motorcycles is particularly high under 24 years of age. It is moreover impossible to control whether any experience has effectively been acquired on a limited motorcycle. In the interest of road safety, new vehicle, minimum age and access criteria have been introduced.

A new category A2 with new technical characteristics

The previous category A, which was split into a limited and an unlimited part, is now split into two distinct categories "A2" and "A". An additional technical requirement to avoid "downtuning" of motorcycles is introduced for category A2.

New minimum ages and access rules

For category A2, the minimum age is fixed at 18 years. If a Member State fixes the minimum age for category A1 at 17 or 18 years, the minimum age for category A2 will be 19 and 20 years because there must be 2 years between the minimum age for category A1 and the minimum age for category A2.

If the applicant has acquired an experience of 2 years on a motorcycle in category A1, he has to pass a test of skills and behaviour only, or to complete a training.

For category A:

- for **progressive access** applicants have to have acquired a two year **experience** on a motorcycle of category A2 and pass a test of skills and behaviour only, or to complete a training. If these two conditions are met, he will be entitled to drive vehicles of category A from the age of **20** (or possibly 21 or 22, depending on the minimum age for A2).
- for **direct access the minimum age limit has been raised from the previous 21 years to 24 years**.

New trailer rules for car driving licences

Category B allows to drive a vehicle of 3500 kg and a trailer of 750 kg.

With regard to vehicle-trailer combinations within category B, trailers of a weight exceeding 750 kg may be coupled to the towing vehicle, as long as the combination does not exceed 4250 kg and the rules on type-approval are respected (that fix the relation between the vehicle and the trailer).

However, for such combinations within category B that exceed the weight of 3500 kg, a training, a test or both a training and a test will be imposed. This provision will allow to drive bigger combinations within category B in the future than is the case today, pending a training and/or test is passed.

With regard to category BE, one will be allowed to tow trailers with a maximum authorized mass of 3500 kg. Combinations with a towing vehicle in category B and a trailer exceeding 3500 kg will fall within category C1E.

Progressive access to the most powerful trucks and lorries

New definitions








In the interest of safety, driving licences for trucks and buses have been amended in order to:




- refer to the number of passengers and not the number of seats;
- bring the technical requirements for smaller trucks and buses in line with that of the market's vehicles, and make them mandatory categories throughout the Union.
- Category C: motor vehicles used for the transport of goods, the maximum authorised mass of which exceeds 3500 kg and not transporting more than eight **passengers** in addition to the driver. They may be combined with a trailer under 750 kg.
- Category C1: same as C but for motor vehicles with a maximum authorised mass not exceeding 7500 kg. **All Member States now need to introduce this category.**
- Category D: motor vehicles for the transport of passengers with a capacity to transport more than 8 **passengers** in addition to the driver. They may be combined with a trailer under 750 kg.
- Category D1: same as D but for motor vehicles with a capacity to transport not more than 16 passengers in addition to the driver and with a maximum length not exceeding eight metres. They may be combined with a trailer under 750 kg. **All Member States now need to introduce this category.**
- All 4 above categories can be combined with trailers over 750 kg, then needing a separate driving licence (categories CE, C1E, DE, D1E). **All Member States now need to introduce these categories.**

Minimum ages

The table below summarizes the age requirements concerning access to driving licences depending on the vehicle category.

Overview of the new proposed licensing system

| Category | | General rule | Conditions | Exception rule |
|------------|---|---------------------------------|---|---|
| AM |  | 16 years | Theory test Practical test is optional. | 14 years possible on national territory only. Up to 18 years possible. |
| A1 |  | 16 years | Theory and practical test | Up to 17 or 18 years possible |
| A2 |  | 18 years | Theory and practical test. If holder category A1 for 2 years, passing a test or complete a training only | 2 years minimum between A1 and A2: if minimum age for category A1 fixed by MS at 17 or 18 years, the minimum age for category A2 is 19 or 20 years. |
| A |  | 20 years for progressive access | Passing a test or complete a training | 2 years minimum between A2 and A: if minimum age for category A2 fixed by MS at 19 or 20 years, the minimum age for category A is 21 or 22 years. |
| | | 24 years for direct access | Theory and practical test | |
| B1 |  | 16 years | Theory and practical test | |
| B and BE |  | 18 years | Theory and practical test | 17 years possible for B and B+E on national territory only |
| C1 and C1E |  | 18 years | Theory and practical test | For professional drivers, without |

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|------------|---|----------|---------------------------|--|
| C and CE |  | 21 years | Theory and practical test | prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC ¹ concerning the qualification and training of drivers engaged in the transport of goods and passengers |
| D1 and D1E |  | 21 years | Theory and practical test | |
| D and DE |  | 24 years | Theory and practical test | |

AM: mopeds, max. design speed 45km/h, < 50 cm³ or power < 4kW, including light quadricycles

A1: light motorcycles, < 125cm³ or power < 11 kW with power/weight<0.1kW/kg, and light tricycles < 15 kW

A2: motorcycles, power<35kW with power/weight < 0.2 kW/kg and not derived from a vehicle with more than double its power

A: two-wheel motorcycles (including above 35 kW) and heavy tricycles > 15 kW

B: motor vehicles <3500kg, not transporting more than 8 passengers in addition to driver + trailer <750 kg; may be combined with trailer >750kg if combination below 4250 kg (with training and/or testing between 3500 kg and 4250 kg)

B1: optional category of heavy quadricycles

C: motor vehicles used for transport of goods >3500 kg + trailer < 750 kg

C1: motor vehicles >3500 kg but < 7500 kg and not transporting more than 8 passengers in addition to the driver + trailer < 750 kg

D: motor vehicles for the transport of more than 8 passengers + trailer < 750kg

D1: motor vehicles for the transport of not more than 16 passengers, max length 8 meters + trailer < 750kg

E: in combination with above categories, trailer >750kg

¹ JO L 226 du 10.09.2003 p 4

6. What are the new rules for driving examiners?

There are no set standards on the training and education of driving examiners. They vary widely throughout the Union. In some Member States examiners had almost no specific education or did not even hold the driving licence for the category they were examining. This should no longer be possible. Since theory and practical tests have been harmonised in detail, common minimum requirements for examiners would ensure that test results are comparable in the EU. A regular training of examiners should also have a positive impact on road safety by maintaining their skills and experience in an ever faster changing technical environment.

Basic conditions have been set for entering the profession of driving examiners and introduce minimum standards for their initial qualification as well as regular refresher courses:

- driving examiners should always have a valid licence for the category they are examining. They should have obtained an initial qualification and be obliged to participate in periodic training.
- they should be trained extensively on basic subjects and obtain an initial qualification before being allowed to examine. Progressive access should be mandatory. At first, examiners should test candidates for passenger cars which account for 90% of all examinations and only after gaining experience on these tests and after obtaining additional qualification for other categories may they test candidates in other categories.

7. Will the new legislation on driving licences affect requirements for fitness to drive?

Drivers need to comply with minimum standards of physical and mental aptitude for driving a motor vehicle before being authorized to drive. The driving licence Directive includes detailed provisions concerning a list of disabilities that may affect safe driving. Usually more stringent provisions are in place for professional drivers of trucks and buses.

In 2009, the Directive was updated on the basis of the work of a group of medical experts appointed by Member States as regards eyesight, diabetes and epilepsy.

8. Driving licence legislation so far in the Union

The first European piece of legislation on driving licences dates back from 1980. A Council Directive then made it possible for EU citizens moving to another Member State to exchange their driving licence without passing a new theory, practical and medical test. The driver however still had to exchange his licence within one year of taking up residence in a new Member State.

It is only in 1991 that a new Directive introduced the principle of mutual recognition and abolished the need to exchange one's licence. However in practise the application of this principle has been impeded by the fact that validity periods of licences and the periodicity of the medical examination were not harmonised. This has created legal uncertainty for citizens who take up residence in another Member State.

Directive 2006/126/EC, also known as the "third driving licence Directive", was adopted on 20 December 2006². It was due to be transposed by 19 January 2011.

Although some of its provisions entered into force on 19 January 2009, most of its requirements are to become applicable on 19 January 2013, and in particular the introduction of the **new EU driving licence model**.

For more information please see: [IP/13/25](#)

² OJ L 403, 30.12.2006, p.18.