

SUSTAINABLE & SMART
MOBILITY STRATEGY

ROAD SAFETY

**Revision of the EU Driving Licences
Directive – main changes & novelties
of the EU-wide accompanied driving
scheme and driving disqualification
rules**

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Brief general overview of the EU driving licence rules

EU driving licence rules (general)

- First iteration of EU rules date back to the 1980s
- Current Directive (3rd driving licences Directive): 2006/126/EC, regulates for example:
 - **mutual recognition** of EU driving licences;
 - **EU model for the physical driving licence** (card format of all licences in circulation is mandatory by 19 January 2033);
 - driving licence **categories** and the **minimum ages** to drive them;
 - rules on **issuance, validity, renewal, exchange and replacement** of driving licences;
 - driving **examiners**, theoretical and practical **tests** and requirements on **fitness to drive**;
 - **mutual assistance** between Member States.

EU driving licence rules (general)

- In 2023 the European Commission adopted a legislative proposal for the revision of Directive 2006/126/EC – part of the “Road Safety Package”
 - The new rules entered into force on: 25 November 2025 – Directive(s) (EU) 2025/2205 and 2025/2206
- Now, Member States will have to transpose the newly agreed rules into their national law
- Core goals of the 2023 revision (same as the 2006 Directive): increase road safety and facilitate freedom of movement. This is done including by:
 - adopting new requirements towards test takers and novice drivers;
 - removing unjustified administrative barriers, and simplifying and digitalising procedures;
 - better ensuring fitness and competence to drive;
 - broadening driving privileges in a safe and sustainable manner.

EU driving licence rules (general)

- **Main novelties of the revised rules include (1/2):**
 - an **EU mobile (digital) driving licence**, which is set to become the default format;
 - **adaptation of EU categorisation and equivalence rules**, to better consider alternatively fuelled vehicles (AFVs), emergency vehicles and motor homes;
 - new framework to better ensure compliance with the **(updated) minimum standards of physical and mental fitness** to drive;
 - an **EU framework for exchanging driving licences issued by third countries**, to facilitate freedom of movement;

EU driving licence rules (general)

- **Main novelties of the revised rules include (2/2):**

- Introduction of an **EU-wide probationary period and accompanied driving scheme** (both post licencing);
- Expanding the scope of **certain driving disqualifications to be applicable in the whole EU**, regardless of who imposed them;
- **Modernization of testing rules** (e.g., risk awareness focus, greater attention towards vulnerable road users, mandatory testing of knowledge on assisted driving).

- **Application of the new rules:**

- 26 November 2027 – transposition and application of rules on heavier AFVs;
- 26 November 2028 – transposition of all the rules and application of the accompanied driving rules;
- 26 November 2029 – application of all rules under the Directive;
- +1: at the latest 2030 Q4/2031 Q1 – mobile driving licences are issued as the default format across the EU

AND they are mutually recognized by all Member States (but cf. Article 24(3))

Main novelties of the EU-wide accompanied driving scheme and driving disqualification rules

EU-wide accompanied driving scheme

EU driving licence rules (ADS) (1/4)

- Accompanied driving schemes have two main models:
 - **Pre-licencing** (e.g. AT): the driver gains experience before the practical test is taken.
 - **Post-licencing** (e.g. De and EU): the driver is allowed to take the driving tests but in the first [X amount of time] is only allowed to drive when accompanied by an experienced driver.
- **Differentiation between the two is essentially a question of approach:** is the ADS part of the training or is it something more akin to the probationary period, i.e. a precautionary measure of road safety that is meant to help and guide novice drivers?

EU driving licence rules (ADS) (2/4)

- The “training vs measure” approach is also useful to understand **the rights and obligations of the driver: do they hold a driving licence or not?**
 - **If not** and they are in training, they should have further restrictions placed on them (e.g. 3000 km and driver school attendance). They are not driving accompanied for the sake of driving, but for the sake of being able to acquire a driving licence.
 - **If yes** and they passed the practical test, that also brings much more freedom. They do have to be accompanied (just as people with glasses need to wear their glasses) when driving but beyond that they are *bona fide* driving licence holders.
 - (N.b. in the case of the EU scheme the probationary period starts from acquiring the driving licence so it does run together with the accompanied driving scheme.)
- Can the models also coexist?
 - Yes, there is no legal obstacle in front of that, rather it is a question of proportionality (i.e. is it necessary to provide for it before **and** after the practical test?).

EU driving licence rules (ADS) (3/4)

- There are three main options in front of Member States who already had “lower than 18” licencing rules in place to implement the EU-wide ADS rules:
- 1. Only implement the EU scheme**, if necessary, with the flexibilities provided for under Article 17(4) and (6), but para (5) is not utilized and the national rules discontinue.
 - 2. Implement the EU and the separate national scheme utilizing Article 17(5)**, essentially granting the choice for applicants to decide which one do they want (n.b. switching could be possible, but between 17 and 18 years of age only the EU scheme can grant driving rights abroad).
 - 3. Implement a system that merges the EU and the national scheme**, if possible, for example by creating a pre- and a post-licensing phase (cf. previous slide).

EU driving licence rules (ADS) (4/4)

- Which one is the most desired out of the three routes depends on a lot of factors, including and perhaps most importantly: how compatible the pre-existing pre-18 licencing scheme is with the new EU rules?
- AT – DE comparison is useful in this regard:
 - The EU model is quite akin to the DE scheme so that one only needs to be adjusted, while the AT model is pre-licencing so more considerations need to be put into which of the three options is the most appropriate.
- But in the different national contexts many other considerations can have high relevance: e.g. road safety performance of novice drivers, cost of acquiring a driving licence, transport alternatives to driving for young people.
- There is no one size fits all solution, but at the same time, as the rules have to be transposed, this does provide a rare chance to reflect on and address systematic questions and implement deep reforms to training new drivers, if/as/where needed.

EU-wide driving disqualification

EU driving licence rules (DDQ) (1/8)

- European efforts to having a common driving disqualification framework date back to the 1960s.
- The new Directive finally creates such a framework, applicable as of 16 November 2029, which will achieve an EU-wide driving disqualification by way of the following chain of events:
 1. Offence covered by the Directive is committed (by EU licence holder of other MS)->
 2. National sanction (withdrawal, suspension or restriction) is imposed ->
 3. If the conditions of the Directive are fulfilled, then the driving licence issuing MS is notified->
 4. Issuing MS either implements the sanction in line with its own rules and the minimum requirements of the Directive OR invokes a ground of exemption.

EU driving licence rules (DDQ) (2/8)

- **What was the main (technical) issue in front of having an EU-wide driving disqualification framework?**
 - Translation between the different national frameworks.
- **Why?**
 - Because from a fundamental rights point of view: the Member State that issued the licence cannot impose a more severe penalty than the Member State of the offence.
 - In systems where the sanction is only time based (e.g. 1 year suspension) this is not really an issue. However...

EU driving licence rules (DDQ) (3/8)

- ... how do you translate a sanction that includes mandatorily visiting a road safety course? Or going to the doctor for a mandatory check up?
 - Its simply not possible, as there is no objective criteria to compare such measures.
- This issue can be solved either by:
 - Direct or indirect harmonization of sanctions (unfeasible)
- OR
- Relying only on the objective elements and discarding the rest. (This is what the Directive does.)
- This is key to understanding withdrawal, suspension and restriction.

EU driving licence rules (DDQ) (4/8)

- In the case of **restriction**, the driving licence is partially restricted for a time (e.g. cat B is still usable, but cat A is not for 3 years, or for 4 years no driving is allowed between 22 pm and 6 am)
- What can be translated out of this partial restriction?
 - The time for sure, and in a lot of cases the measure (nature) as well because there are finite logical ways to restrict some driving rights and keep some of them with the driver. However, the nature of the restriction is an unalienable part of it so if it cannot be translated then restrictions cannot be imposed cross border.
 - So, the Directive says in Article 15d(2)(d) that:
*"where a restriction is imposed and notified by the Member State of the offence, [the Member State of issuance shall] take it into account, **insofar as compatible with the law of the Member State of issuance in terms of its nature.**"*

EU driving licence rules (DDQ) (5/8)

- There are essentially two types of **suspensions**:
 - ***Without complementary conditions*** (e.g. the whole licence (n.b. this differentiates it from restriction which is always partial) is suspended for 3 years)
 - ***With complementary conditions*** (e.g. the whole licence is suspended for 3 years and until a visit to the doctor)
- What can be translated?
- The time for sure, but what about complementary conditions like the doctor visit? Or other complementary conditions that are much more unique like participating in extra training?
 - Beyond the time element complementary conditions cannot be reliably translated due to their diversity so they are not taken into account:

*“where a suspension (...) imposed and notified by the Member State of the offence is subject both to the lapse of a fixed period of time and the fulfilment of complementary conditions, [**the Member State of issuance shall**] **take into account only the fixed period of time**”*

EU driving licence rules (DDQ) (6/8)

- In the case of **withdrawal**, the driving licence/right to drive is entirely revoked.
 - So the state essentially says “I do not trust you to drive anymore until you do [...]” as opposed to this in the case of suspension it says “I do not trust you to drive for the next e.g. 4 years [and until you went to the doctor]”.
 - The key difference is the importance of the temporal element in getting back the licence or getting it re-issued or getting a new one.
- So how can a driver regain their driving licence/right to drive (n.b. always defined by national law but it cannot contravene what the Directive says about issuing a driving licence, i.e. Articles 10,16 and 20)?
 - A new set of theoretical and practical tests are completed, and a new licence is issued, or
 - Other conditions as defined in the legislation of the withdrawing Member State are fulfilled (e.g. the German MPU) and the old licence is re-issued, or
 - Both.
- Can withdrawals have a temporary element as well?
 - Yes, but they are always subservient to the other one, e.g. the offender has to do an MPU but they can only attempt it after 2 years have passed.

EU driving licence rules (DDQ) (7/8)

- Why can a withdrawal be “exchanged” into a suspension in case the national legislation Member State of issuance does not use withdrawals (cf. Article 15d(1)(a)(ii))?
 - Because the **effects** of a withdrawal are achieved, by combining the punitive element of a suspension with “an assessment of the fitness or competence to drive of the driver and any action deemed appropriate following that assessment”.
 - I.e., while the licence does not have to be regained as in the case of a *bona fide* withdrawal, it can nevertheless be taken away based on the results of the assessment, and in case it is not the driving disqualification is still given (punitive) effect to in the form of the suspension.
- Why are complementary conditions taken into account for withdrawals in case they are compatible with the national law and parts of them were already completed?
 - To take into account (as much as possible) unique situations where the driver initially wanted to lift their withdrawal in the Member State of the offence and then only later in the Member State of issuance.

EU driving licence rules (DDQ) (8/8)

- As long as a national driving disqualification measures fulfill the (very broad) definition elements of withdrawal, suspension and restriction it is up to the Member State of the offence to qualify the measures they take.
- Ideally all Member States can entirely preserve their own framework while also fostering EU level cooperation by implementing the new rules. However, in case certain elements of a system are highly incompatible with the Directive's logic then it may be better to consider adjustments rather than trying to hamfist the pre-existing system into a category that it not entirely fits into.
 - To be noted also that preliminary ruling requests can realistically occur, especially in the early years of implementation given the absolute novelty of the Directive.
- The Commission services of DG MOVE intend to publish, in 2027, guidance to ease and facilitate the implementation of the new rules.

Thank you for your attention!
Any questions?