

Procedure file

Basic information		
SYN - Cooperation procedure (historic)	1996/0040(SYN)	Procedure completed
Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)		
Subject 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		05/09/1996
		ELDR FARASSINO Gipo	
	Former committee responsible		
	TRAN Transport and Tourism		26/03/1996
		ELDR FARASSINO Gipo	
	Former committee for opinion		
	JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	General Affairs	2011	02/06/1997
	Fisheries	1983	20/12/1996
	Transport, Telecommunications and Energy	1937	18/06/1996

Key events			
20/02/1996	Legislative proposal published	COM(1996)0055	Summary
28/03/1996	Committee referral announced in Parliament		
18/06/1996	Debate in Council	1937	
18/06/1996	Vote in committee		Summary
18/06/1996	Committee report tabled for plenary, 1st reading/single reading	A4-0206/1996	
04/09/1996	Debate in Parliament		Summary
05/09/1996	Decision by Parliament	T4-0436/1996	Summary
06/11/1996	Modified legislative proposal published	COM(1996)0556	Summary

20/12/1996	Council position published	11847/1/1996	Summary
30/01/1997	Committee referral announced in Parliament, 2nd reading		
18/03/1997	Vote in committee, 2nd reading		Summary
18/03/1997	Committee recommendation tabled for plenary, 2nd reading	A4-0087/1997	
08/04/1997	Debate in Parliament		Summary
09/04/1997	Decision by Parliament, 2nd reading	T4-0144/1997	Summary
02/06/1997	Act adopted by Council after consultation of Parliament		
02/06/1997	End of procedure in Parliament		
07/06/1997	Final act published in Official Journal		

Technical information

Procedure reference	1996/0040(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC before Amsterdam E 075
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/4/08540

Documentation gateway

Legislative proposal	COM(1996)0055 OJ C 110 16.04.1996, p. 0007	20/02/1996	EC	Summary
Economic and Social Committee: opinion, report	CES0531/1996 OJ C 204 15.07.1996, p. 0020	24/04/1996	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0206/1996 OJ C 211 22.07.1996, p. 0002	18/06/1996	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0436/1996 OJ C 277 23.09.1996, p. 0011-0015	05/09/1996	EP	Summary
Modified legislative proposal	COM(1996)0556 OJ C 031 31.01.1997, p. 0003	06/11/1996	EC	Summary
Council position	11847/1/1996 OJ C 069 05.03.1997, p. 0007	20/12/1996	CSL	Summary
Commission communication on Council's position	SEC(1997)0175	28/01/1997	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A4-0087/1997 OJ C 132 28.04.1997, p. 0007	18/03/1997	EP	
Text adopted by Parliament, 2nd reading	T4-0144/1997 OJ C 132 28.04.1997, p. 0067-0082	09/04/1997	EP	Summary

Additional information

European Commission	EUR-Lex
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Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

OBJECTIVE: the proposal for a directive is aimed at defining a harmonized set of codes for the information to be entered in national driving licences based on the Community model. The aim is to make it easier to understand and thus reciprocally to recognize licences during intra-Community travel. SUBSTANCE: the Commission proposal: - amends Annexes I and I bis to Directive 91/439/EEC (which defines the Community models for driving licences) by introducing harmonized codes; - proposes that a committee be set up for the adaptation to technical and scientific progress of Annexes I, II and III of Directive 91/439/EEC; - aligns the definition of the term 'motorcycle' with that of Directive 92/61/EEC on the type approval of two and three-wheel motor vehicles; - provides that the harmonized set of codes may be introduced with effect from 1 July 1996, the date of entry into force of Directive 91/439/EEC. ?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The Committee unreservedly endorses the Commission's Proposal which represents a further useful step towards increased road safety, facilitating the mutual recognition of driving licences and consequently the free movement of persons in the EU.?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The Committee has adopted the report by Mr Gipo FARASSINO (It, ELDR) on the Commission proposal for a Council Directive amending Directive 91/439 on driving licences. The Commission has proposed to adopt a basic harmonized set of codes for the additional information to be included on driving licences. Rapporteur FARASSINO welcomed this proposal, which harmonizes the system for codifying the information to be included on driving licences concerning the conditions under which the licence has been issued. He said that it will certainly facilitate the free movement of persons in the EU, particularly disabled drivers, and will contribute to road safety by making it easier throughout most of Europe to check driving licences where so required, whatever the Member State having issued them, the nationality of the official checking them or the administration managing them. But in amendments Mr FARASSINO has sought to meet the specific requirements and requests made by certain Member States. All these amendments were taken on board by the Committee. In amendment 5, the rapporteur calls on the Commission to submit proposals for the introduction of a European penalty points driving licence system. Amendment 6 stipulates that the mutual recognition of driving licences should also extend to cases where licences are suspended or withdrawn. Finally, in amendment 7, a new paragraph should be added to Article 8 of the Directive: In cases where driving licences are suspended or withdrawn, the decision of the competent authority of the Member state in which the offence has been committed shall have legal effects throughout the territory of the EU and shall be notified as soon as possible to the competent authority of the Member State which issued the driving licence in question

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

In presenting his report Mr G. Farassino (ELDR, I), while approving the Commission's proposal, introduced a number of amendments aimed at clarifying certain references to the harmonised codes. He also wanted to see the management committee replaced by a technical committee that would play a more flexible, consultative role. He called on the Commission to set up a working group charged with putting in place a European penalty points driving licence system, with a view to a legislative proposal being submitted by 31 March 1997. This would mean extending the directive on the mutual recognition of licences to cover cases where the licences were suspended or withdrawn. Commissioner Kinnock supported the proposals for adopting and revising the harmonised codes and for introducing a set of sub-codes. However, he could not accept that part of Amendment No 5 that related to a universal code nor the deadlines for the definition of sub-codes; he also rejected Amendments Nos 4 and 7, which exceeded the scope of the proposal and were bound to encounter problems of a constitutional nature, since the mutual recognition of restrictions on the use of the driving licence implied a certain level of judicial cooperation between Member States, something that currently came under the third pillar of the Maastricht Treaty. Finally, he rejected Amendment No 3 as being inappropriate and Amendment No 6, relating to the committee, as it failed to comply with the decision on comitology.

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The European Parliament adopted the report by Mr Giuseppe FARASSINO (ELDR, I) on the amendment of Directive 91/439/EEC (in force since 1 July 1996) on a European driving licence. Its prime request was extension of the principle of mutual recognition of driving licences by Member States to the suspension and withdrawal of licences. This would mean that suspension or withdrawal of a driving licence in the Member State where the offence is committed would have legal effect throughout the Community and would be notified to the competent authority of the Member State that delivered the driving licence in question. Parliament also asked: - for a universal 00 code for specific information to be entered on the driving licence and limit dates for definition of subdivision of the codes; - the Commission to present a proposal for the introduction of a European penalty points driving licence system; - that the driving licence should be issued or renewed in the case of applicants or drivers with diabetes where there are no existing complications. ?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The Commission's modified proposal amending the 1991 directive on driving licences has incorporated in total or in part 2 of the 18 European Parliament amendments. They seek to: - add to the text a reference to the sub-codes; - supplement the harmonized codes 02 (communication aid) and 03 (for the limbs), to make these references more specific, and for the codes 70 and 71 to add a reference to the list of ECE/UN symbols for third countries, the symbols of Member States having already been specified in annexes 1 and 1a of directive 91/439/EEC; - add a code 79 to cover cases of equivalence between categories of licence issued before the date of implementation of directive 91/439/EEC (1 July 1979) and the categories defined in Article 3 of the directive. The use of code 79 would be limited to the possible maintenance of acquired rights by holders of a licence obtained before 1 July 1996. However, the Commission has not accepted the amendments concerning in particular: the addition of a recital concerning the code of conduct concluded between Parliament and the Council; the setting up of a European penalty points driving licence system; the mutual recognition of decisions to suspend or withdraw driving licences; the inclusion of medical standards for driving; the introduction of a universal code 00, without a definition; the composition and working method of the management committee. ?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The common position of the Council concerning the modification of the 1991 directive on driving licences takes into account the two amendments adopted by the European Parliament at first reading and incorporated by the Commission in its amended proposal. It should be noted that by comparison with the Commission proposal, the common position: - alters the type of committee appointed to assist the Commission in adapting the annexes of Directive 91/439/EEC (type IIIa, while the Commission had provided for a type IIb committee); - confirms the mandate of the new committee on driving licences with regard to annexes II and III of Directive 91/439/EEC; nevertheless limits the competence of this committee in respect of annexes I and Ia, to the definition of codes and sub-codes as well as the facultative or obligatory character of using certain harmonized sub-codes; - sets, as in the case for motorcycles, the maximum design speed of three-wheeled motor vehicles and quadricycles at 45 km/h instead of 50 km/h, in line with the dispositions of Directive 92/61/EEC. ?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The Commission approved the common position, which retained the key elements of its proposal. ?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

Suspension and withdrawal of driving licences should be subject to mutual recognition in the member states, the Committee told Council, the Committee felt that Council should reconsider its common position on amending the driving licences directive 91/439/EEC. In cases where driving licences are suspended or withdrawn, the decision of the competent authority of the member state in which an offence has been committed shall have legal effect throughout the territory of the EU and shall be notified as soon as possible to the competent authority of the member state which issued the driving licence in question. So far, Council has refused to take on board amendments demanding the mutual recognition of penalties with regard to driving licences, arguing that this is a third pillar matter. Rapporteur Gipo FARASSINO (Ind, I) saw his draft recommendation for second reading adopted: such a mutual recognition is considered a vital element if the free movement of persons is to become a reality. ?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The rapporteur regretted that the Council had taken over only two out of the eight amendments adopted at first reading. He had therefore re-tabled the two main amendments which the Council had not accepted as they sought to extend the principle of mutual recognition of driving licences by Member States to include their suspension or withdrawal. Mutual recognition of this type of penalty was a key element in ensuring the free movement of persons within the European Union. Commissioner Bangemann said that, although a driving ban in the country of residence should be valid in other EU countries, the extension of this same penalty ordered in a country other than the country of residence could create legal and constitutional problems in the latter.

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

The European Parliament approved the common position amending Directive 91/439/EEC on driving licences. The amendments contained in the draft recommendation for second reading by Mr Gipo FARASSINO (NI, I) did not receive the qualified majority necessary for amending the Council text. The amendments concerned inter alia mutual recognition by Member States of decisions on the suspension and withdrawal of driving licences. ?

Driving licences, system of harmonized codes (amend. Directive 91/439/EEC)

OBJECTIVE: The aim is to define a system of harmonized codes for the particulars to be included in the Community model driving licence issued by the Member States, with a view to facilitating the comprehension and, therefore, the mutual recognition of the licences in circulation within the Community. **COMMUNITY MEASURE:** Council Directive 97/26/EC amending Directive 91/439/EEC on driving licences **SUBSTANCE:** The directive amends Annexes I and Ia of Directive 91/439/EEC (which defines the Community model driving licence),

introducing harmonized codes. It provides for the creation of a 'committee on driving licences' for the adaptation to technical and scientific progress of Annexes I, II and III to Directive 91/439/EEC. It also aligns the definition of the term 'motorcycle' with that of Directive 92/61/EEC on the type approval of two- and three-wheel motor vehicles. The term 'motorcycle' will henceforth be used to refer to all two-wheel vehicles with or without sidecar, fitted with an engine having a cylinder capacity of more than 50 cm³ if of the internal combustion type and/or having a maximum design speed of more than 45 km/h. ENTRY INTO FORCE: 08/06/1997 DEADLINE FOR TRANSPOSITION: 01/01/1998 ?