

Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) 2021/0018(COD) Directive</p>	Procedure completed
<p>Drivers of certain road vehicles for the carriage of goods or passengers: initial qualification and periodic training. Codification</p> <p>Repealing Directive 2003/59 2001/0033(COD)</p> <p>Subject 3.20.05 Road transport: passengers and freight 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.20.10 Transport undertakings, transport industry employees</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Legal Affairs	 DZHAMBAZKI Angel	01/07/2022
Council of the European Union	Commission DG	Commissioner	
European Commission	Justice and Consumers	VON DER LEYEN Ursula	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
01/02/2021	Legislative proposal published	COM(2021)0034	Summary
08/02/2021	Committee referral announced in Parliament, 1st reading		
27/10/2022	Vote in committee, 1st reading		
04/11/2022	Committee report tabled for plenary, 1st reading	A9-0267/2022	Summary
22/11/2022	Results of vote in Parliament		
22/11/2022	Decision by Parliament, 1st reading	T9-0397/2022	Summary
02/12/2022	Act adopted by Council after Parliament's 1st reading		
14/12/2022	Final act signed		

Technical information	
Procedure reference	2021/0018(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Codification
Legislative instrument	Directive
	Repealing Directive 2003/59 2001/0033(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 091-p1
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/05255

Documentation gateway					
Legislative proposal		COM(2021)0034	01/02/2021	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A9-0267/2022	04/11/2022	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0397/2022	22/11/2022	EP	Summary
Draft final act		00001/2022/LEX	14/12/2022	CSL	

Final act
Directive 2022/2561 OJ L 330 23.12.2022, p. 0046

Drivers of certain road vehicles for the carriage of goods or passengers: initial qualification and periodic training. Codification

PURPOSE: to establish an EU wide standard of initial qualification and periodic training for drivers of certain road vehicles for the carriage of goods or passengers (codification of Directive 2003/59/EC of the European Parliament and of the Council).

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in the interests of clarity and rationality of the law, the purpose of this proposal is to undertake a codification of Directive 2003/59/EC of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, which has been substantially amended several times.

The new Directive will supersede the various acts incorporated in it; it fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

CONTENT: this proposal for a Directive on the minimum level of training of drivers of road transport vehicles is intended to ensure, through their qualifications, that drivers are qualified both for taking up and pursuing the activity of driving. More specifically, it imposes the obligation to hold an initial qualification and to undergo periodic training is intended to improve road safety and the safety of the driver, including during operations carried out by the driver while the vehicle is stopped.

Scope of application

The codified Directive should apply to the activity of driving carried out by both nationals of a Member State and third-country nationals employed or used by an undertaking established in a Member State.

This Directive should not apply where all the following conditions are met:

- the drivers of vehicles operate in rural areas to supply the driver's own business;
- the drivers do not offer transport services;
- the Member States consider that the transport is occasional and does not have an impact on road safety.

This Directive should not apply to drivers of vehicles used, or hired without a driver, by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity, except if driving is part of the driver's principal activity or the driving exceeds a distance set in national law from the base of the undertaking which owns, hires or leases the vehicle.

Qualifications and training

To establish that the driver complies with his or her obligations, Member States should issue the driver with a certificate of professional competence (CPC) certifying his or her initial qualification or periodic training.

Member States should be able to choose between several options so as to facilitate the implementation of the provisions relating to the initial qualification.

In order to maintain their qualification of driver, existing drivers should be obliged to undergo periodic retraining in the skills essential for their profession.

Periodic training shall consist of training to enable holders of a CPC to update the knowledge which is essential for their work, with specific emphasis on road safety, health and safety at work, and the reduction of the environmental impact of driving.

Only training centres which have been approved by the competent authorities of the Member States should be able to organise the training courses laid down for the initial qualification and the periodic training.

Drivers of certain road vehicles for the carriage of goods or passengers: initial qualification and periodic training. Codification

The Committee on Legal Affairs adopted the report by Angel DZHAMBAZKI (ECR, BG) on the proposal for a directive of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers (codification).

The committee responsible recommended that the European Parliament adopt its position at first reading by adopting the Commission proposal as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission.

In the opinion of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts, without any change in their substance.

The purpose of this proposal for a codification of Directive 2003/59/EC of the European Parliament and of the Council on the minimum level of training of drivers of road transport vehicles is intended to ensure, through their qualifications, that drivers are qualified both for taking up and pursuing the activity of driving. More specifically, it imposes the obligation to hold an initial qualification and to undergo periodic training is intended to improve road safety and the safety of the driver, including during operations carried out by the driver while the vehicle is stopped.

Drivers of certain road vehicles for the carriage of goods or passengers: initial qualification and periodic training. Codification

The European Parliament adopted by 631 votes to 1, with 3 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers (codification).

The European Parliament adopted its position at first reading. In the opinion of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts, without any change in their substance.

This proposal for a Directive on the minimum level of training of drivers of road transport vehicles is intended to ensure, through their qualifications, that drivers are qualified both for taking up and pursuing the activity of driving. More specifically, it imposes the obligation to hold an initial qualification and to undergo periodic training is intended to improve road safety and the safety of the driver, including during operations carried out by the driver while the vehicle is stopped.

Scope of application

This codified Directive will apply to the activity of driving carried out by nationals of a Member State, and nationals of third countries who are employed or used by an undertaking established in a Member State engaged in road transport within the Union.

This Directive should not apply where all the following conditions are met:

- the drivers of vehicles operate in rural areas to supply their own business;
- the drivers do not offer transport services;
- the Member States consider that the transport is occasional and does not have an impact on road safety.

This Directive should not apply to drivers of vehicles used, or hired without a driver, by agricultural, horticultural, forestry, farming or fishery

undertakings for carrying goods as part of their own entrepreneurial activity, except if driving is part of the driver's principal activity or the driving exceeds a distance set in national law from the base of the undertaking which owns, hires or leases the vehicle.

Qualification and training

To establish that the driver complies with his or her obligations, Member States should issue the driver with a certificate of professional competence (CPC) certifying his or her initial qualification or periodic training.

Member States should be able to choose between several options so as to facilitate the implementation of the provisions relating to the initial qualification.

To ensure consistency between the different forms of training required under Union law, Member States should have the possibility of combining different types of relevant training: for example, it should be possible for them to combine training on the transport of dangerous goods, on disability awareness or on animal transport, with the training provided for in this Directive.

In order to maintain their qualification of driver, existing drivers should be obliged to undergo periodic retraining in the skills essential for their profession.

Periodic training should all consist of training to enable holders of a CPC to update knowledge which is essential for their work, with specific emphasis on road safety, health and safety at work, and the reduction of the environmental impact of driving.

Only training centres which have been approved by the competent authorities of the Member States should be able to organise the training courses laid down for the initial qualification and the periodic training.

Union code

Based on the CPC certifying an initial qualification and the CPC certifying periodic training, Member States' competent authorities should mark the harmonised Union code, 95, provided for in Annex I to Directive 2006/126/EC, alongside the corresponding categories of driving licence: (a) on the driving licence, or (b) on the driver qualification card drawn up in accordance with the standard model depicted in Annex II to this Directive.

If the competent authorities of the Member State where the CPC was obtained cannot mark the harmonised Union code on the driving licence, they should issue the driver with a driver qualification card.

The driver qualification card issued by a Member State should be mutually recognised. When the driver qualification card is issued, the competent authorities shall check the validity of the driving licence for the category of vehicle concerned.

Enforcement network

For enforcement purposes, Member States should exchange information on CPCs issued or withdrawn. For that purpose Member States should, in cooperation with the Commission, develop an electronic network or work on an extension of an existing network, taking into account the assessment by the Commission of the most cost-effective option.