

Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation 2022/0204(COD)</p>	Procedure completed
<p>Specific and temporary measures, in view of Russia's invasion of Ukraine, concerning driver documents issued by Ukraine in accordance with its legislation</p> <p>Subject 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)</p> <p>Geographical area Ukraine</p> <p>Legislative priorities EU support to Ukraine</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		
Council of the European Union			
European Economic and Social Committee			
European Committee of the Regions			

Key events			
20/06/2022	Legislative proposal published	COM(2022)0313	Summary
30/06/2022	Decision by committee, without report		
04/07/2022	Committee referral announced in Parliament, 1st reading		
07/07/2022	Decision by Parliament, 1st reading	T9-0294/2022	Summary
14/07/2022	Act adopted by Council after Parliament's 1st reading		
18/07/2022	Final act signed		
22/07/2022	Final act published in Official Journal		

Technical information	
Procedure reference	2022/0204(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation

Legal basis	Rules of Procedure EP 163; Treaty on the Functioning of the EU TFEU 091
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/9/09381

Documentation gateway

Legislative proposal	COM(2022)0313	20/06/2022	EC	Summary
Text adopted by Parliament, 1st reading/single reading	T9-0294/2022	07/07/2022	EP	Summary
Draft final act	00045/2022/LEX	18/07/2022	CSL	

Final act

[Regulation 2022/1280](#)
[OJ L 195 22.07.2022, p. 0013](#)

Specific and temporary measures, in view of Russia's invasion of Ukraine, concerning driver documents issued by Ukraine in accordance with its legislation

PURPOSE: to establish specific and temporary measures regarding driver documents issued by Ukraine in accordance with its legislation, taking into account the invasion of Ukraine by Russia.

PROPOSED ACT: Regulation 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 response to the military aggression against Ukraine by Russian armed forces, the EU has, since 4 March 2022, noted the existence of a mass influx of displaced persons from Ukraine and has offered temporary protection to the displaced people.

A driving licence enhances mobility and facilitates the participation of temporarily protected persons in economic and social activities in their new environment.

The 1968 Vienna Convention on Road Traffic, to which Ukraine is a party, provides for certain rules allowing the recognition of driving licences under certain conditions. However, not all Member States are party to this Convention. Furthermore, there is currently no harmonised framework at EU level for the exchange of driving licences or certificates of professional competence issued by third countries such as Ukraine.

Diverging requirements between the different Member States of the Union, particularly as regards the recognition of driving licences and certificates of professional competence, may adversely affect the life and the freedoms of the displaced persons fleeing from the military aggression of Russia against Ukraine, at a time in which these persons are especially vulnerable.

In this context, it is therefore necessary to establish a common EU framework for the recognition of driving licences issued by Ukraine and held by persons enjoying temporary protection or adequate protection under national law.

CONTENT: the purpose of this proposal is to enable displaced persons to use the documents necessary to drive motor vehicles on the public road network of the Union and to carry out the professional activity of driving, thus promoting the economic and social integration of these displaced persons.

In order to reduce the burden on Member States' authorities and on persons enjoying temporary protection, the proposal provides that driving licences duly issued by Ukraine to such persons should be recognised for the duration of the temporary protection granted, without the need for their holders to exchange them.

At the request of the holder of a certificate of professional competence issued by Ukraine who enjoys temporary protection, the Member State in which that holder has obtained a temporary residence permit could issue to the persons concerned the driver qualification card or affix the special temporary Union code 95.01 to the driving licence of those persons, for the purpose of conferring on the holder of a certificate of professional competence issued by Ukraine the same rights as those of the persons qualified to carry out the driving activity referred to in Directive 2003/59/EC.

In the event of a report of loss or theft of a certificate of professional competence, Member States, before issuing this specific certificate of professional competence, should also verify, including with the competent Ukrainian authorities, that the person concerned holds a valid certificate of professional competence issued by Ukraine.

The proposed rules aim to improve road safety as an aspect of transport safety, while at the same time providing for the economic and social integration of persons displaced as a consequence of Russia's war of aggression against Ukraine. Such measures are destined to ensure that

those persons benefitting from temporary protection enjoy the freedom to move within the Union by driving power-driven vehicles, and also the freedom to work by carrying out the professional activity of driving, while ensuring that they do so in line with safety related aspects and standards applicable in the Union.

In this context, the competent authorities of the Member States should implement appropriate measures to combat fraud and falsification.

Specific and temporary measures, in view of Russia's invasion of Ukraine, concerning driver documents issued by Ukraine in accordance with its legislation

The European Parliament adopted by 561 votes to 6, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council laying down specific and temporary measures, in view of Russia's invasion of Ukraine, concerning driver documents issued by Ukraine in accordance with its legislation.

In response to Russia's unprovoked and unjustified military aggression against Ukraine, the Regulation introduces, through an urgent procedure, specific and temporary measures concerning Ukrainian driver documents.

The legislative proposal is linked to the reception of Ukrainian refugees and aims at reducing the administrative requirements normally applying to third country drivers when driving within the EU. This innovative measure alleviates the administrative burden on Ukrainian refugees as regards driving documents and, at the same time, provides a harmonised approach for the duration of temporary protection.

The objective is twofold: on the one hand, to contribute to the social and economic integration of Ukrainian refugees in the host Member State; on the other hand, to maintain a high level of road safety in the Union.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Objective

The proposed Regulation establishes specific and temporary measures applicable to driver documents issued by Ukraine in accordance with its legislation and held by persons enjoying temporary protection or adequate protection under national law.

The Regulation provides for the conditions for the recognition of driving licences and driver qualification cards issued by Ukraine, the extension of the validity of expired driver documents issued by Ukraine, the procedures for verification in case of loss or theft of driving licences issued by Ukraine, the prevention of fraud and falsification and the monitoring of its implementation by the Commission.

Recognition of driving licences issued by Ukraine

It is clarified that this recognition is without prejudice to the application of national provisions on the restriction, suspension, withdrawal or cancellation of the right to drive on the territory of that Member State, in accordance with the principle of territoriality of criminal and police laws.

Driver qualification cards and driver attestations

At the request of the holder of a driver qualification card issued by Ukraine who enjoys temporary protection, the Member State in which that holder has obtained a temporary residence permit may issue to the persons concerned the driver qualification card provided for by Directive 2003/59/EC or affix the special temporary Union code 95.01 (until 06.03.2025 at the latest) on the driving licences of persons who enjoy temporary protection under national law and who hold the driver qualification card issued by Ukraine in accordance with Ukrainian national legislation for the purpose of conferring on such persons temporary rights similar to those of persons qualified to engage in the driving activity referred to in Article 1 of Directive 2003/59/EC.

The expiry date on such driver qualification cards or attached to the special temporary Union code marked on the driving licences should be 6 March 2025. However, notwithstanding that date marked on those documents, their administrative validity should correspond to the duration of the temporary protection in respect of displaced persons from Ukraine, of the adequate protection under national law of the holder, or of the period of validity of the driving licence, whichever ends the earliest. The holder should be adequately informed of such a limitation.

Prior to issuing the driver qualification card or marking the special temporary Union code 95.01 (max 06.03.2025) on the driving licence or on the driver attestation, Member States should require the holder of the driver qualification card issued by Ukraine, to undergo complementary compulsory training concluding with a test for the purpose of verifying that the driver has the level of knowledge required by Section 1 of Annex I to Directive 2003/59/EC. The duration of the complementary compulsory training shall be at least 35 hours and shall not exceed 60 hours, including at least 2.5 hours of individual driving.

Where a person does not hold a Union model driving licence issued by a Member State, Member States should require an examination applying minimum standards of physical and mental fitness for driving prior to the issuance of a driver qualification card or to the marking of the special temporary Union code on the driver attestation.

Loss or theft of driving licences issued by Ukraine

Where a person enjoying temporary protection declares the loss or theft of his or her driving licence, the Member State where that person has been granted a temporary residence permit or enjoys adequate protection under national law may, at the request of that person, verify, including with the competent authorities of Ukraine, the driving rights acquired by that person in conformity with the legislation applicable in Ukraine and that no other Member State has already issued a driving licence to that person, in particular in order to ascertain that the driving licence has not been restricted, suspended or withdrawn.

Upon carrying out the verification and prior to issuing a driving licence, Member States may require an examination applying the minimum standards of physical and mental fitness for driving in accordance with national law adopted to transpose Annex III to Directive 2006/126/EC.

Prevention of fraud and forgery

When applying this Regulation, Member States should use all appropriate means to prevent and combat fraud in connection with driver documents issued by Ukraine, and their forgery. Member States may, at any moment, verify the validity of the driver documents issued by

Ukraine. Member States may refuse to recognise such a driver document in the event of a negative answer or absence of answer from the Ukrainian authorities consulted by them on the rights claimed by the holder of a driver document issued by Ukraine and when there are serious doubts as to the authenticity of the driver document which suggest that road safety could be endangered.

Monitoring

The Commission should inform the European Parliament and the Council about the implementation of this Regulation every six months after its entry into force, mainly on the basis of information provided by the Member States to the Commission.