



9.7.2020

NOTICE TO MEMBERS

Subject: Petition 0490/2019 by Stefan Thien (German) on standardising professional driving qualifications

1. Summary of petition

The petitioner argues that it is urgently necessary to standardise professional driving qualifications in the EU, pointing out that, while German trainees are allowed to drive commercial freight vehicles in Germany, this is not possible elsewhere, although training requirements include the acquisition of experience in other Member States. It would appear that the requirements for obtaining professional driving licences differ from one Member State to another.

2. Admissibility

Declared admissible on 21 October 2019. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 9 July 2020

Directive 2003/59 regulates the training of professional drivers (the Professional Drivers Directive)¹ in the EU. The Directive was amended on 18 April 2018², following a Commission proposal adopted on 1 February 2017. The new provisions must have been transposed by the

¹ Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC, OJ L 226, 10.9.2003, p. 4–17.

² Directive (EU) 2018/645 of the European Parliament and of the Council of 18 April 2018 amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences (Text with EEA relevance.), OJ L 112, 2.5.2018, p. 29–41.

Member States by 23 May 2020 at the latest (except for the provisions on the exchange network referred to below, which shall be brought into force by 23 May 2021).

In particular, the amendment brings the following improvements:

- modernisation of training by prioritising road safety, including, for example, protecting vulnerable road users and using driver assistance systems; optimising fuel consumption and introducing new technology, such as e-learning options;
- clarification of the scope of the Directive;
- clarification of the rules on minimum ages set out in, respectively, the Professional Drivers Directive and EU rules on driving licences;
- ensuring that training taken in an EU country other than the one where the person concerned lives is recognised in the country of residence; and
- establishing an electronic exchange system for drivers' qualifications.

The Directive provides some flexibility in implementation of the training obligations, which may result in differences amongst the training schemes applied by Member States. The agreement of the European Parliament and the Council on the amending Directive defines the co-legislator's stance on the adequate balance between the necessary harmonisation of the training framework and the flexibility provided to Member States to implement the training obligation.

Concerning the specific issues referred to by the petitioner, the Directive does allow trainees to drive commercial vehicles under certain conditions. Article 2(1) (as amended) establishes in its last paragraph that the Directive does not apply to trainees during 'work based learning, where the person is accompanied by another person' who holds the appropriate qualification. Moreover, the last paragraph of Article 3(1) establishes that 'Member States may authorise a driver to drive within its territory before obtaining a CPC³, when this person is undergoing vocational training.

Therefore, the possibility to allow trainees to drive under the provisions referred to above is left to the decision of Member States.

Conclusion

The Commission considers that no further harmonisation is appropriate at this stage, given that the Directive was recently amended and the date for transposition of the new measures has just been reached.

³ CPC = Certificate of Professional Competence.