



Driver & Vehicle
Licensing
Agency



Complying with driving licence directive 2006/126/EC



INVESTORS
IN PEOPLE

Targeted consultation on amendments to UK law to ensure compliance with the third European Commission (EC) Driving Licence Directive 2006/126/EC

Background

The third Driving Licence Directive introduced a number of new obligations on member states. The deadline for implementing these changes into national law was 19 January 2013. The EC's view is that the UK has not fulfilled all of its obligations.

Proposal

To ensure that we comply with the Directive, we want to change the law on the following technical aspects of driver licensing.

Please refer to information leaflet INS57P for full details of the category descriptions, which can be found at: <https://www.gov.uk/government/publications/ins57p-information-on-driving-licences>

Change 1

Drivers with entitlement to drive both a minibus (category D1) and a goods vehicle with trailer (category C+E or C1+E) are entitled automatically to drive a minibus with a trailer (category D1+E), without the need to take a further test. This is not permitted by the third Directive so we must remove this automatic entitlement.

Drivers who have the automatic entitlement will retain it. New drivers will need to take an appropriate test.

We do not consider that this will have any significant impact on business or the charitable sector. There may be occasions when they pay for these tests for their employees. However, we consider it is more likely that drivers will pay for the tests themselves as part of the process of acquiring the driving qualifications they might need to secure employment.

Change 2

Drivers who hold a licence to drive large goods vehicles (category C) for at least two years can drive a damaged or defective bus to a place of repair, or to where it is being tested after a repair has been carried out. The Directive does not allow this so we propose to remove this entitlement. Only drivers who have entitlement to drive buses (category D) will be able to drive these vehicles in such circumstances in the future. The change applies only to new licence holders. We believe that this will have a minimal impact on business.

We believe that these changes can be implemented safely without compromising road safety standards.

The changes proposed in this document will apply throughout the UK.

Responses

Please provide your comments in the response section of this document.

Impact Assessment

Both changes have been identified as having a gross domestic cost to business of less than £1 million per year.

A copy of the Regulatory Triage Assessment and Regulatory Policy Committee clearance is attached at **Annex A**. However, as Change Two only requires a minor technical change and will have little impact to business, a Regulatory Triage Assessment is not required specifically for this change.

Your Views

Although we must change our law to ensure that we comply with the requirements of the Directive, we would like to hear from individuals or groups affected by the proposed changes outlined in this document. In particular, we would like your views on the accuracy of our assessment of the scale of the likely impact that these changes would have.

Questions

1. do you consider that the DVLA has made a reasonable assessment of the likely impacts of the proposed changes? If not, what information are you able to provide?
2. can you identify any unforeseen issues arising from the proposed changes in respect of the impacts on business and road safety?

How to respond

The response form is attached at **Annex B**. If you are affected by the changes proposed in this consultation, please consider the questions above. When responding, it would be helpful if you could state whether you are responding as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make clear who the organisation represents and where applicable, how the views of members were collated.

The consultation period will run from 23 September 2014 to 21 October 2014. Any responses received after this date will be considered only in exceptional circumstances.

You can respond in the following ways:

- respond online: <https://www.surveymonkey.com/s/SSYMJKY>
- by post to: Strategy, Policy & Communications Directorate, D16, Driver and Vehicle Licensing Agency, Swansea, SA6 7JL

- email to: policyconsultation@dvla.gsi.gov.uk

Please get in touch by email or by post if you would like a copy of the consultation in an alternative format, or if you have any questions.

DVLA reply

We will not acknowledge receipt of individual responses unless you indicate that you would like an acknowledgement. We are unable to reply individually to the points you may raise as part of your reply.

A summary of responses will be published within three months of the consultation closing on www.dft.gov.uk/consultations. We will notify those who responded to the consultation when this happens.

Confidentiality of responses

We may publish all or some of the comments received as part of this consultation. If we receive a request from any third party for sight of such comments, we may be obliged by law (for example under the Freedom of Information Act 2000) to disclose such information. If there are particular reasons why you would not wish your comments to be disclosed or published, please say so. Although your wishes may not override any statutory obligations to disclose, they will be taken into account as far as possible. If you reply by email, the statements made above override any confidentiality disclaimer generated by your IT system.

The Consultation Principles

This consultation complies with the Consultation Principles published by the Cabinet Office on 17 July 2012. This replaced the Code of Practice on Consultations.

<http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

A summary of the Consultation Principles, which can be viewed in full at the above link, is as follows:

- engagement should begin early in policy development.
- the evidence base for the proposed policy should be made available at an early stage
- the timeframe for consultation should be proportionate and realistic to allow stakeholders sufficient time for a considered response
- the amount of time required will depend on the nature and impact of the proposal and may typically vary between two and 12 weeks
- information should be presented in an accessible and useful form to stakeholders with a substantial interest in the subject matter

- the choice of the form of the consultation will depend on the issues under consideration and the available time and resources
- information provided should be easy to comprehend, use plain language and clarify the key issues
- consideration should be given to more informal ways of engaging that may be appropriate
- the objectives of the consultation process should be clear

If you consider that this consultation does not comply with the consultation principles or you have comments about the consultation process please contact:

Hayley Bowen
Consultation Co-ordinator, Strategy and Policy Directorate
D16, Driver and Vehicle Licensing Agency, Swansea, SA6 7JL

ANNEX B: Reply Form

Amendments to UK law to ensure compliance with the third European Commission (EC) Driving Licence Directive 2006/126/EC

Your Personal Details:

Name:

Organisation you represent:

Postal address:

Telephone number:

Fax number:

E-mail address:

Questions

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- by post to: Strategy, Policy & Communications Directorate, D16, Driver and Vehicle Licensing Agency, SWANSEA, SA6 7JL
- by e-mail to: policyconsultation@dvla.gsi.gov.uk

The closing date for responses is 21 October 2014.