



Driver & Vehicle
Licensing
Agency

CONSULTATION REPORT

One Person One Licence

February 2015

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CONSULTATION QUESTIONS

1	Do you agree with the proposed change? If not, it would be useful if you could outline the reasons why.
2	If you disagree, please outline the reasons why.
3	Can you identify any issues arising from the proposed change for business and/or road safety?

1. EXECUTIVE SUMMARY

The Third Driving Licence Directive (2006/126/EC) (“the Directive”) requires all European Union (EU) member states and European Economic Area (EEA) countries to ensure that national law prohibits anyone from holding more than one driving licence at any given time. In particular, the Directive prohibits drivers from holding more than one EU/EEA driving licence. UK legislation prevents individuals from applying for a licence if you already hold another licence; however, it is not currently an offence to hold more than one licence more generally.

To comply with the Directive, we need to change the law to include a general prohibition to the holding of more than one EU/EEA driving licence.

2. INTRODUCTION

A consultation was launched on 16 January 2015 and sought opinions from all those with an interest in the proposed changes. The consultation ended on 13 February 2015.

3. BACKGROUND

Driver licensing and driving tests are regulated activities covered by European legislation. The Directive provides for mutual recognition of driving licences between EU member states, the harmonisation of the driving licence categories and harmonisation of driving test standards. The requirements of the Directive were implemented across Europe from 19 January 2013. The Directive was originally transposed by the Motor Vehicles (Driving Licences) (Amendment) Regulations 2012. It had been identified that there were some areas where we had not clearly transposed the requirements of the Directive. One of these was that we did not clearly prohibit the holding of more than one driving licence.

The Directive prohibits a person from holding more than one licence at any one time. UK legislation prohibits a person from applying for a licence if they already hold another valid licence and the Driver and Vehicle Licensing Agency (DVLA) has a number of administrative measures in place to prevent drivers from holding more than one licence. However, UK legislation does not currently prohibit the holding of more than one licence more generally. We will be introducing such a prohibition, which will be punishable by a fine of up to £1,000 on conviction.

4. RESPONSES TO THE CONSULTATION EXERCISE

There were 61 responses to the consultation. Ministers, the Driver and Vehicle Licensing Agency (DVLA) and the Department of the Environment in Northern Ireland would like to thank everyone who contributed to this consultation.

5. GENERAL OBSERVATIONS

From the responses it is clear that the general feeling in regard to the proposal is positive and that introducing an offence of holding more than one driving licence at any one time is very welcome. The consultation was publicised via GOV.UK.

There were 61 responses to the consultation. Only one individual gave their name, the remaining 60 responses omitted to include personal details.

A total of 45 responses were in favour of drivers only holding one licence at any given time. The main reason given was that it would prevent individuals from being able to share penalty points accrued across multiple licences. There were 16 responses against the proposal. This was mainly due to a perception that the standards of driving test varied across Europe. Of the 61 respondents, 33 who agreed to the proposal did not express an opinion to questions two and three. Of those responses that disagreed with the proposal, five did not provide a reason for this view. Further detail of the responses is set out below.

6. FURTHER RESEARCH

There will be no further research undertaken under this proposal.

7. DISCLOSURE OF INFORMATION

None of the respondents to the consultation asked for their response to be treated as confidential. The responses are available online at www.dft.gov.uk/consultations

The statistical analysis includes replies from all respondents who indicated the strength of their support for each of the proposals by ticking the appropriate boxes. Not all respondents commented on both questions.

8. NEXT STEPS

The DVLA will now proceed with the implementation of the proposal and the new offence will come into force on 26 March 2015.

The Department of the Environment in Northern Ireland is considering the way forward and will publish its decision shortly.

9. THE RESPONSES

Q1 - Do you agree with the proposed change? If not, it would be useful if you could outline the reasons why.

Question	Yes	No
Do you agree with the proposed change? If not, it would be useful if you could outline the reasons why.	45	16

Q2 - If you disagree, please outline the reasons why.

Of the 16 responses that disagreed with the proposal, 11 gave reasons as to why they disagreed. Of these, three responses included a reference to different standards of driving tests in certain European countries, six responses included a reference to the fact that they thought that the money could be better spent elsewhere, that there needed to be more education around the proposal and that it should not be made in law. Two responses believed that the holding of only one licence would cause discrimination. Five responses provided no explanation.

A cross-section of comments received is shown below:

“I think it is a good thing people have learned to drive in other countries - driving in England is very different to driving in Italy. Perhaps there could be a central database so that those with dual licences can be identified and both records updated with endorsements.”

“Drivers who live in a country for employment or family reasons and who have a driving licence issued in another country will most likely be discriminated against by insurance companies, as they will be classified as holding a foreign driving licence.”

“Three reasons: 1.This implies that the standards of driving required to obtain a licence are the same in all EU/EEA member states, when they are not. 2. It also implies that the European Union/ European Economic Area member states are a single entity and that a single central European Union Licence will eventually be 'introduced'. 3. WHY?”

Q3 – Can you identify any issues arising from the proposed change for business and/or road safety?

Of the 61 respondents, 16 referred to issues arising from the proposed change for business and/or road safety. Two respondents believed that there was still an issue of road safety because of driving standards across Europe, two respondents believed that without access to a central database across Europe there would be no way to determine who held more than one licence. Four respondents believed that endorsements needed to be transferrable across Europe onto the one licence to assist with road safety. Two respondents believed it would benefit vocational drivers but one thought that entitlement to drive should be transferred if a vocational licence was

exchanged. One respondent did not think that this proposal would contribute to road safety; one believed it would improve enforcement; one believed that there needed to be a clearer understanding around Non-EU licences and the impact of the proposal on licence holders and three respondents believed that there should be more education around how to exchange a licence to prevent breaking the law.

A cross-section of comments received is shown below:

“There is an issue with drivers holding a valid EU licence as a result of an exchange program with a non EU country. In UK, such licences are only valid for one year. Therefore, in order to force the one licence rule this has to be sorted out. Either an exception to the rule - allowing two licences - or accepting the exchanged based EU licenses.”

“It will prevent some drivers from using duplicate licenses to evade "totting up" and/or bans in EU/EEA countries.”

“As long as those EU member drivers with current sanctions/points on their home country licences have them automatically transferred to their new British licence should they apply for one in place of their home country licence. Additionally, will the British courts system recognise sanctions/points on an EU country licence? Furthermore, I believe that there should be changes to the driving licence database linked to the Police National Computer to show EU licences. Currently, the system is flawed as it does not do this and therefore the d/l database needs to be EU-wide. This will assist police to better enforce the legislation.”