



19 November 2004

Position on the proposed Directive on driving licences, COM (2003) 621 final

ETSC¹, AGE² and ACPO³ have joined together to strongly support the recasting of the Directive on driving licences.

The foreseen harmonisation would replace the current 110 different driving license models with different entitlements and validity periods which currently circulate in the Member States.

This harmonisation would contribute to the ambitious EU target of halving road deaths by the year 2010, especially in relation to improving cross border enforcement of traffic laws as well as the fight against fraudulent access to driving licenses. The amount of improved safety will be dependent upon how meaningful this harmonisation proves to be, and the degree to which the administration and sharing of information between authorities is facilitated.

1 Ageing and Driving

Periodic medical examination: We agree that periodic medical checks and renewal should be left under the jurisdiction of individual Member States as proposed and should not be linked to age.

Research undertaken by the OECD has discovered that mandatory medical assessment of all drivers of a certain age to detect those who are unfit to drive is neither cost-efficient nor beneficial. This is due in part to the fact that a driver's health does not necessarily determine his/her fitness to drive. Moreover, a project where the regular medical testing regime of Finland was introduced in Sweden showed that increased frequency at old age did not reduce accidents within this section of society.⁴

¹ The European Transport Safety Council (ETSC) is an independent, non-profitmaking organisation dedicated to improving transport safety in Europe. It has 27 members in 15 European countries.

² The European Older People's Platform (AGE) is an EU level NGO that aims to voice and promote the interests of older people in the European Union and to raise awareness of the issues that truly concern older people.

³ The Association of Chief Police Officers (ACPO) brings together 280 senior officers from the UK's 44 police forces to develop common policing policies for the country's Police Service as a whole.

⁴ OECD, (2001) Ageing and Transport: Mobility Needs and Safety Issues, OECD

Age determined medical testing has resulted in older drivers voluntarily giving up their driving licences, rather than undergoing testing. This carries social costs as it might lead to restricting people's access to the mobility, freedom and independence that driving a vehicle provides for the vast majority of older people. This is particularly important in rural areas where alternative and/or accessible public transport solutions are not always readily available.

Medical testing linked to issuing and renewal has existed in Spain since 1969 for car and motorcycle licence holders who are checked every 10 years until the age of 45, every five years until the age of 70, and every two years thereafter. This has come at a substantial annual cost to its citizens. To date no research has been undertaken to prove that this has had a direct impact on reducing accidents.

Renewal: Driving licences should be renewed at ten-yearly intervals for all Class A and B drivers, contrary to the Commission proposal to renew licences every five years as of 65 years of age.

We believe that drivers are not more dangerous when older. Contrary to popular belief, research has shown that a healthy older driver is no more likely to be in an accident than a younger driver.⁵ Healthy older drivers typically try to compensate for deficiencies, e.g. by driving slower and avoiding rush-hour traffic or poor lighting conditions, or avoiding risk-taking in general.⁶

We welcome action which will not lead to age discrimination. This can be defined as a difference in treatment, the denial of rights or opportunities or the use of stereotypical images of individuals solely on grounds of chronological age.⁷ Furthermore we hope that this will also lead to other non-discriminatory good practice in other related fields such as car insurance.

2 Cross Border Enforcement

Harmonisation: We welcome action to further harmonise driving licence legislation which will not only simplify procedures, but also combat fraud across the EU as stated in the EC Explanatory Memorandum.

Restricting and issuing of new driving licences by another Member State: All Member States must apply their national restrictions regarding driving licence validity.

The proposal currently states that:

" ... the Member States of normal residence *may* apply its national provisions on the restriction, suspension, withdrawal or cancellation of the right to drive to the holder of a driving licence issued by another Member State and, if necessary, exchange the licence for that purpose." (Art. 12.2)

"A Member State *may* likewise refuse to issue a driving licence to an applicant who is the subject of such a measure in another Member State." (Art. 12.4)

⁵ Hakamies-Blomqvist, L. (1998), Older Drivers Accident Risk: Conceptual and methodological issues. *Accident Analysis & Prevention* 30, 305-312

⁶ Kraay J.H., and Methorst, R. (2000). *Elderly People in a Safe Traffic Environment*. OECD

⁷ Age discrimination is based on ageism, the use of stereotypical assumptions about the nature and capability of individuals of specific ages. AGE statement "Towards Age Equality" December 2003, http://www.ageplatform.org/AGE/IMG/pdf/Brochure_EN-2.pdf

We insist that in both cases the text should read "shall", as opposed to "may": Member States shall apply their national restrictions, and they shall refuse to issue a driving licence if the applicant is subject to a restriction, suspension, withdrawal or cancellation in the territory of the host Member State or another Member State.

The Directive should read:

"... the Member States of normal residence *shall* apply its national provisions on the restriction, suspension, withdrawal or cancellation of the right to drive to the holder of a driving licence issued by another Member State and, if necessary, exchange the licence for that purpose." (Art. 12.2)

"A Member State *shall* likewise refuse to issue a driving licence to an applicant who is the subject of such a measure in another Member State." (Art. 12.4)

Driving Licence Network: We fully support the development of a Driving Licence Network ensuring an exchange of driver information. This network is needed both to combat cross border fraud in the context of recognising driving licences, and to enable cross border enforcement of traffic offences.

In this respect a further step needs to be taken which includes the development of new EU wide legislation to facilitate the exchange of information on cross border enforcement of traffic law offences. This has recently been proposed as part of the conclusions of the completed Commission funded VERA 2 project.

Photo: Identifying the driver with a photo-card is crucial for traffic law enforcement, thus the decision to include a photo in the driving licence is also applauded.

Enabling further verification by means of electronic data on the card would also diminish the possibilities of fraud and ease enforcement. This is a particularly important addition to the measure bearing in mind the period for which this revision of the license format should remain valid. However clearly data protection law must be respected.

3 Eye-Testing

Competency: We support that the proposed requirement of eye-testing prior to issuing and renewal of licences is ability and not age dependent. Yet the current wording in this article needs clarification as to when and who should conduct the eye checks. We propose that for capacity purposes, the role of undertaking the regular eye-tests by a "competent medical authority" should be taken up by an optician and not an eye doctor.

The directive should not prevent Member States from allowing police to test eyesight at the roadside, when uncorrected defective vision is suspected, as is currently undertaken in the U.K.

Contacts

Ellen Townsend (ETSC)
34, Rue du Cornet
Tel. +32-2 230 4106
programme@etsc.be

Catherine Daurele (AGE)
111, Rue Froissart
Tel +32 2 280 14 70
catherine.daurele@age-platform.org

Keith Bailey (ACPO)
25, Victoria Street, London
SW1H 0EX
Tel. +44 20 7227 3434
keith.bailey@acpo.pnn.police.uk