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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Position of the Council at first reading with a view to the adoption of a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2025/... as regards certain driving disqualifications
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DIRECTIVE (EU) 2025/...
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of ...

amending Directive (EU) 2025/...⁺ as regards certain driving disqualifications

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1), point (c), thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure²,

⁺ OJ: please insert the reference number of document ST 8353/25 (2023/0053 (COD)).

¹ OJ C 293, 18.8.2023, p. 133.

² Position of the European Parliament of 6 February 2024 and position of the Council at first reading of ... (not yet published in the Official Journal). Position of the European Parliament of ... (not yet published in the Official Journal).

Whereas:

- (1) Improving road safety is a primary objective of the Union's transport policy. In its EU Road Safety Policy Framework 2021-2030, the Commission recommitted to the ambitious goal of moving closer to zero deaths and zero serious injuries on Union roads by 2050 ('Vision Zero'), as well as to the medium-term aim of reducing by 50 % deaths and serious injuries by 2030.
- (2) In order to achieve the goal of improving road safety, the Transport Ministers of the Member States, in the Valletta Declaration on Road Safety of 29 March 2017, called for the strengthening of the Union's road safety legal framework, with a particular focus on the need for Member States to cooperate in the matter of driving disqualifications of non-resident drivers.
- (3) As a result of the free movement of persons and the increasing level of international road traffic, driving disqualifications are frequently imposed by a Member State other than the one where the driver normally resides or which issued the driving licence.

- (4) Currently, a Member State other than the one where the driver normally resides or than the Member State which issued the driving licence (the ‘Member State of issuance’) is able to take measures, in accordance with its national law, in response to unlawful conduct within its territory by the holder of a driving licence obtained in another Member State. Such measures result in refusals to recognise the validity of driving licences issued by other Member States and, therefore, in a restriction of the right to drive of the person concerned. However, the scope of such measures is limited to the territory of the Member State where the unlawful conduct took place, and their effect is limited to the refusal to recognise the validity of that driving licence within that territory. Therefore, in the absence of any action by the Member State of issuance, that driving licence continues to be recognised in all other Member States. Such a scenario prevents the attainment of a higher level of road safety in the Union. Drivers disqualified from driving in a Member State other than the Member state of issuance should not escape the effects of such measure when present in a Member State other than the Member State where the offence was committed (the ‘Member State of the offence’).
- (5) In order to ensure a high level of protection for all road users in the Union, it is necessary to lay down specific rules for the implementation of driving disqualifications imposed by a Member State other than the one which issued the driving licence of the person subject to a driving disqualification, where such driving disqualifications result from driving disqualification offences within the scope of this Directive.

- (6) However, the implementation of this Directive should not require the harmonisation of provisions of national law concerning the definition of road traffic offences, their legal nature and the possible measures resulting from such offences. In particular, the implementation of driving disqualifications in the Member State of issuance should be pursued regardless of whether the Member State of the offence qualifies the national measures as administrative or criminal. In line with the principle of procedural autonomy, Member States should establish their internal procedures, within the boundaries of their national law, to achieve the quickest and most efficient implementation of this Directive.

- (7) This Directive should be without prejudice to the rules on police and judicial cooperation in criminal matters, and on mutual recognition of related judicial decisions. Also, it should not affect the possibility of the judicial authorities of the Member States to execute decisions they have issued, in particular decisions of a criminal nature. In particular, this Directive should not affect the rights and obligations stemming from Council Framework Decisions 2005/214/JHA³ and 2008/947/JHA⁴, or the rights of suspects and accused persons as provided for in Directives 2010/64/EU⁵, 2012/13/EU⁶, 2013/48/EU⁷, (EU) 2016/343⁸, (EU) 2016/800⁹ and (EU) 2016/1919¹⁰ of the European Parliament and of the Council.

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- ³ Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16, ELI: http://data.europa.eu/eli/dec_framw/2005/214/oj).
- ⁴ Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions (OJ L 337, 16.12.2008, p. 102, ELI: http://data.europa.eu/eli/dec_framw/2008/947/oj).
- ⁵ Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings (OJ L 280, 26.10.2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2010/64/oj>).
- ⁶ Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (OJ L 142, 1.6.2012, p. 1, ELI: <http://data.europa.eu/eli/dir/2012/13/oj>).
- ⁷ Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ L 294, 6.11.2013, p. 1, ELI: <http://data.europa.eu/eli/dir/2013/48/oj>).
- ⁸ Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings (OJ L 65, 11.3.2016, p. 1, ELI: <http://data.europa.eu/eli/dir/2016/343/oj>).
- ⁹ Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ L 132, 21.5.2016, p. 1, ELI: <http://data.europa.eu/eli/dir/2016/800/oj>).
- ¹⁰ Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings (OJ L 297, 4.11.2016, p. 1, ELI: <http://data.europa.eu/eli/dir/2016/1919/oj>).

- (8) The aim of this Directive is to enable the Union to pursue the goal of improving road safety across the Union. As held by the Court of Justice in Case C-43/12¹¹, measures seeking to improve road safety form part of transport policy and may be adopted on the basis of Article 91(1), point (c), of the Treaty on the Functioning of the European Union (TFEU), in so far as they are ‘measures to improve transport safety’ within the meaning of that provision.
- (9) Driving disqualifications resulting from driving disqualification offences within the scope of this Directive can consist of the withdrawal, suspension or restriction of the right to drive, of the driving licence or of the recognition of the validity of that driving licence. Therefore, the implementation of such driving disqualifications should be achieved in the Union through the application of such withdrawals, restrictions or suspensions by the Member State which issued the driving licence.

¹¹ Judgment of the Court (Grand Chamber) of 6 May 2014 in *Commission v Parliament and Council*, C-43/12, ECLI:EU:C:2014:298, paragraph 43.

- (10) The commission of an offence, however, is not the sole circumstance that can lead to a withdrawal, suspension or restriction of the right to drive, of a driving licence or of the recognition of the validity of a driving licence. Other circumstances, such as not fulfilling the minimum standards laid down in Annex III to Directive (EU) 2025/... of the European Parliament and of the Council¹²⁺, can also lead to such a withdrawal, suspension or restriction. As Directive (EU) 2025/...⁺⁺ regulates such minimum standards, the definitions relating to those terms should clarify that they cover all cases resulting in such a withdrawal, suspension or restriction, and not only those resulting from the commission of an offence.

¹² Directive (EU) 2025/... of the European Parliament and of the Council of ... on driving licences, amending Regulation (EU) 2018/1724 of the European Parliament and of the Council and Directive (EU) 2022/2561 of the European Parliament and of the Council, and repealing Directive 2006/126/EC of the European Parliament and of the Council and Commission Regulation (EU) No 383/2012 (OL L, ..., ELI: ...).

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)) and complete the corresponding footnote.

⁺⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

- (11) As drink-driving, meaning driving while impaired by alcohol, as defined in the law of the Member State of the offence, driving under the influence of drugs and speeding, meaning exceeding the speed limits in force in the Member State of the offence for the road or type of vehicle concerned, constitute the leading causes of road traffic crashes and fatalities within the Union, the highest possible diligence should be applied to cases relating to such offences, which should be considered as driving disqualification offences for the purposes of this Directive. Furthermore, given their seriousness, road traffic offences which result in the death or serious bodily injury of a victim should also be considered as driving disqualification offences within the scope of this Directive. The imposition of a driving disqualification should require the precise identification of the driver who committed the driving disqualification offence and should not be decided on the basis of objective liability, such as being the vehicle holder.
- (12) Driving disqualifications should only be notified to the Member State of issuance in accordance with this Directive if they were imposed due to the commission of a driving disqualification offence as defined by this Directive.
- (13) Driving disqualifications imposed by a Member State on a person who holds a driving licence issued by another Member State should take effect across the entire territory of the Union, in terms similar to driving disqualifications imposed on persons holding driving licences issued by the Member State imposing the driving disqualification. Also, in view of the principle of procedural autonomy, Member States should be free to decide how best to achieve that result in accordance with their national law.

- (14) The Member State of the offence should notify without undue delay the Member State of issuance of any driving disqualification within the scope of this Directive imposed for a duration of at least three months and for which, at the time of notification, the remaining suspension or restriction period to be served pursuant to that driving disqualification is more than one month, in order to trigger the procedures necessary to ensure the implementation of the driving disqualification in the Member State of issuance. Such notification should be transmitted in electronic form by means of a standard certificate for notifying a driving disqualification (the ‘standard driving disqualification certificate’), in order to ensure a seamless, reliable and effective exchange of information between the Member States.

- (15) The standard driving disqualification certificate should contain a minimum set of data allowing for the proper implementation of this Directive, and should in particular include details of the authority of the Member State of the offence, which imposed the driving disqualification, the driving disqualification offence committed, the resulting driving disqualification and the person subject to the driving disqualification. To that end, the Commission should update the codes included in Annex I, Part E, to Directive (EU) 2025/...⁺ pursuant to a delegated act under this Directive, in order for such codes to be available well before the final date of transposition of this Directive. The use of that standard driving disqualification certificate will guarantee an effective exchange of information without obliging Member States to share a disproportionate or excessive amount of information.
- (16) The standard driving disqualification certificate should also be translated into any official language of the institutions of the Union that is an official language of the Member State of issuance or into any other language of the institutions of the Union that the Member State of issuance has accepted, in order to ensure quick processing by the addressee.

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

- (17) The imposition of driving disqualifications in response to unlawful conduct contributes to guaranteeing a high level of road safety within the Union. Based on the principle of mutual recognition of driving licences issued in the Member States, it should be possible for measures concerning the withdrawal, suspension or restriction of a driving licence issued by the Member State of issuance to be automatically enforced by all other Member States, given that the person subject to a driving disqualification cannot present a valid document to verify his or her driving right. Therefore, upon notification of the imposed driving disqualification, and unless a ground for exemption applies or is invoked, the Member State of issuance should take the appropriate measures to implement the driving disqualification.

- (18) The measure taken by the Member State of issuance should vary depending on the specific nature of the driving disqualification. Given that withdrawals, suspensions or restrictions necessarily have different consequences, they require different procedures to be implemented in compliance with the competences of the Member States involved. As regards a withdrawal, the person subject to a driving disqualification should be able to recover his or her driving licence or to apply for a new driving licence in accordance with Directive (EU) 2025/...⁺. Where the possibility of a withdrawal is not provided for in the Member State of issuance, the Member State of issuance should suspend the driving licence, assess the fitness or competence to drive of the holder of that driving licence and take any measure deemed appropriate following that assessment. As regards a suspension or restriction, it should be ensured that only the duration of such measures is implemented, even where the driving disqualification provides for complementary conditions, because the primary goal of those suspensions or restrictions is to temporarily or partially prevent the person subject to the driving disqualification from driving and not to determine how that person should recover his or her driving licence. However, this should be without prejudice to the right to assess whether the person subject to the driving disqualification poses a risk to road safety and to adopt measures to reflect such assessment.

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

- (19) The Member State of issuance should aim, within the existing legal limits of national law, to ensure that the measures taken with regard to driving disqualifications correspond to the greatest extent possible to the measures imposed by the Member State of the offence.
- (20) Where a Member State of the offence imposes a driving disqualification on a person having his or her normal residence in that Member State but holding a driving licence issued by another Member State, the Member State of the offence is entitled to exchange the driving licence for the purpose of applying that driving disqualification. Where a Member State of the offence withdraws the driving licence of a person having his or her normal residence in a Member State other than the Member State of issuance, the Member State of normal residence should be responsible for issuing a new driving licence, taking into account the information made available by the Member State of issuance in the EU driving licence network referred to in Directive (EU) 2025/...⁺.

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

- (21) The Member State of the offence should be able to continue to apply, in accordance with its national law and with effects limited to its territory, driving disqualifications and any related complementary conditions until the person subject to the driving disqualification complies with them. In addition, the Member State of the offence should be able to impose requirements concerning the lapse of a fixed period of time, such as a period during which the driver subject to the driving disqualification is prohibited from recovering the existing driving licence or applying for a new driving licence ('period of prohibition'), and such requirements should not be considered as complementary conditions within the meaning of this Directive. During such a period of prohibition, it should be possible for the Member State of the offence to decide not to recognise the validity of a driving licence that was recovered or newly obtained in the Member State of issuance. However, after the lapse of such a period of prohibition, the validity of a driving licence issued by the Member State of issuance should be recognised by the Member State of the offence, irrespective of whether it was issued during such a period of prohibition.

- (22) This Directive should be without prejudice to the provisions of Directive (EU) 2025/...⁺ which state that a driving licence should be considered as cancelled, withdrawn, suspended or restricted until the person subject to a driving disqualification has fulfilled any conditions, imposed by the Member State of issuance, which that person is required to comply with in order to be able to recover the driving licence or apply for a new one. Where a driving licence is mistakenly issued to an applicant who has still to fulfil any such conditions, Member States should be able to refuse its recognition, including after the end of a period of prohibition.
- (23) Where the Member State of issuance has adopted measures to implement the driving disqualification and has subsequently reassessed whether the person subject to the driving disqualification is suitable to recover his or her driving licence, that assessment should be recognised across the Union and therefore also in the Member State of the offence, provided that the fixed period of time imposed as part of the driving disqualification by the Member State of the offence has passed.

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

- (24) The application of measures by the Member State of issuance should serve the purpose of ensuring that a driving disqualification is implemented and should not require a new assessment of the facts that lead to the driving disqualification.
- (25) In order to guarantee that the implementation of a driving disqualification is not contrary to the principle of proportionality, to fundamental rights or to exceptions provided for in the law of the Member State of issuance, it is appropriate to lay down certain grounds that exempt the Member State of issuance from the obligation to adopt measures. In respect of grounds for exemption that are not mandatory, Member States should be able to decide that such grounds are to be systematically assessed by the competent authority or are to be assessed only if there is a substantial reason to believe that such grounds apply. In all cases, the person subject to the driving disqualification should have the possibility to seek a legal remedy concerning the assessment and the application of the grounds for exemption by the Member State of issuance, in accordance with the law of that Member State.

- (26) Moreover, the digitalisation of road traffic rules supports real-time traffic information services, facilitating lawful conduct and enabling drivers to respect national traffic regulations, including when driving abroad. Directive 2010/40/EU of the European Parliament and of the Council¹³ requires Member States to ensure that static and dynamic data as regards speed limits applicable to the comprehensive trans-European network for roads, other motorways and sections of primary roads, as well as to cities at the centre of urban nodes, under certain conditions, are available and accessible via national access points by 31 December 2028. Directive 2010/40/EU also encourages Member States to make data on speed limits accessible for other parts of their road network. It contains a review clause, on the basis of which the Commission is to review the progress made with regard to the availability and accessibility of data, among others, and propose, where appropriate, to adapt by 31 December 2028 the geographical coverage of certain data types considered crucial.
- (27) In the interest of road safety and in order to provide legal certainty for the person subject to a driving disqualification and for the Member State of the offence, the Member State of issuance should implement the driving disqualification or apply a ground for exemption without undue delay, and in any case within the time limits, if any, laid down in the provisions of national law regarding the imposition of a driving disqualification. The Member State of issuance should inform the Member State of the offence about any delay.

¹³ Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2010/40/oj>).

- (28) The proper implementation of this Directive presupposes close, swift and effective communication between the competent national authorities involved. All communications between the Member State of the offence and the Member State of issuance for the purpose of implementing a driving disqualification should be made through the EU driving licence network referred to in Directive (EU) 2025/...⁺ and the Commission should ensure that that network is equipped with the necessary resources to fulfil that task. Moreover, in specific well-defined cases, both the Member State of issuance and the Member State of the offence should exchange without delay important information in relation to the application of this Directive. The competent national authorities of the Member States should consult each other whenever necessary for the implementation of this Directive, including in relation to: the adoption of measures implementing driving disqualifications; decisions taken on grounds of exemption; the completion of the driving disqualifications; and any circumstances that affect the originally imposed driving disqualifications, such as the review by the national authorities of the driving disqualification originally imposed by the Member State of the offence or the fulfilment of the complementary conditions by the person subject to the driving disqualification in the Member State of the offence.

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

- (29) The Member State of issuance should inform the person subject to a driving disqualification imposed by the Member State of the offence, to the extent possible, no later than 20 working days after reception of the notification of the imposed driving disqualification in accordance with the procedures under its national law.
- (30) After implementing the driving disqualification, the Member State of issuance should inform the person subject to the driving disqualification, within the deadlines laid down for the notification of similar decisions under its national law, of the adoption of the measures taken to implement that driving disqualification, in particular in order to allow the exercise of fundamental rights.
- (31) Member States should ensure that adequate legal remedies are available regarding measures taken pursuant to this Directive, and that information about such remedies is provided in due time to ensure that they can be exercised effectively. However, it should not be possible for the driving disqualification imposed by the Member State of the offence to be challenged by way of an action brought in the Member State of issuance.

- (32) The protection of natural persons in relation to the processing of their personal data is a fundamental right. In accordance with Article 8(1) of the Charter of Fundamental Rights of the European Union and Article 16(1) TFEU, individuals have a right to the protection of personal data relating to them. The relevant Union legislative acts, namely Regulation (EU) 2016/679 of the European Parliament and of the Council¹⁴ and Directive (EU) 2016/680 of the European Parliament and of the Council¹⁵, should apply to the processing of personal data in the context of this Directive in accordance with their respective scope of application.
- (33) This Directive establishes the legal basis for the exchange of personal data for the purpose of implementing driving disqualifications imposed by a Member State other than the Member State of issuance. That legal basis is in compliance with Regulation (EU) 2016/679 and Directive (EU) 2016/680. The personal data to be exchanged with the Member State of issuance should be limited to what is necessary to comply with the obligations laid down in this Directive.

¹⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

¹⁵ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89, ELI: <http://data.europa.eu/eli/dir/2016/680/oj>).

- (34) In order to ensure the seamless, reliable and effective exchange of information, each Member State should designate one or multiple national contact points for the purposes of this Directive. Member States should further ensure that their respective national contact points cooperate with the authorities competent for the enforcement of the driving disqualifications covered by this Directive, in particular to ensure that all necessary information is shared in due time.
- (35) Member States should be able to designate one or multiple national contact points and competent authorities to fulfil the tasks necessary for the implementation of this Directive, and should be able to define the rules for cooperation amongst those national entities in order to facilitate the efficient implementation of this Directive.
- (36) In the interest of effective enforcement of driving disqualifications, Member States should ensure that the competent authorities check the right to drive, especially where there is doubt as to whether the driver concerned is under the effect of a driving disqualification, in particular in cases where physical driving licences are not surrendered.
- (37) Member States should regularly collect statistics on the application of this Directive and send them to the Commission, initially four years following the entry into force of this Directive and every five years thereafter.

- (38) National penalty point schemes, under which a holder of a driving licence loses or accumulates points in relation to the commission of certain offences, are not addressed by this Directive. Member States adopt different approaches, such as imposing stricter measures immediately or focusing on targeted enforcement and prevention campaigns. When carrying out its review of this Directive, the Commission should assess how to improve road safety and facilitate Member States in tackling multiple challenges, without prioritising any specific approach.
- (39) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission to establish the format and content of the standard driving disqualification certificate. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁶.

¹⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>).

- (40) Since the objective of this Directive, namely to improve road safety across the Union by providing for the notification and implementation of a driving disqualification imposed due to the commission of a driving disqualification offence, falling under the scope of this Directive, in a Member State other than the Member State of issuance or the Member State of normal residence, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of this Directive, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (41) Directive (EU) 2025/...⁺ should therefore be amended accordingly.
- (42) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹⁷ and delivered an opinion on 14 June 2023,

HAVE ADOPTED THIS DIRECTIVE:

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

¹⁷ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

Article 1
Amendments to Directive (EU) 2025/...⁺

Directive (EU) 2025/...⁺ is amended as follows:

(1) in Article 1(1), the following point is added:

‘(e) notification and implementation of a driving disqualification imposed due to the commission of a driving disqualification offence in a Member State other than the Member State of issuance or the Member State of normal residence.’;

(2) in Article 2, the following points are added:

‘(15) “driving disqualification” means the cancellation, withdrawal, suspension or restriction of the right to drive of a driver of a power-driven vehicle, of his or her driving licence or of the recognition of the validity of his or her driving licence by virtue of a decision taken by a competent authority which has become enforceable, irrespective of whether that cancellation, withdrawal, suspension or restriction can be qualified as an administrative or criminal measure and irrespective of whether it constitutes a primary, secondary or supplementary penalty or a safety measure;

⁺ OJ: please insert in the text the reference number of the Directive set out in document ST 8353/25 (2023/0053 (COD)).

- (16) “cancellation” means the invalidation of the right to drive, of the driving licence or of the recognition of the driving licence, on administrative grounds such as not having fulfilled the criteria for obtaining a driving licence or having acquired the driving licence using fraudulent means, in accordance with the national law of the Member State invalidating the right to drive, the driving licence or the recognition of the driving licence;
- (17) “withdrawal” means the revocation of the right to drive, of the driving licence or of the recognition of the validity of the driving licence, because of the commission of an offence, in accordance with the national law of the Member State of the offence or, in cases where the right to drive, the driving licence or the recognition of the validity of the driving licence is revoked for other reasons, of the Member State withdrawing the right to drive, the driving licence, or the recognition of the validity of the driving licence;
- (18) “suspension” means the temporary limitation of the right to drive, of the driving licence or of the recognition of the validity of the driving licence, for a fixed period of time, or for a combination of a fixed period of time and until the fulfilment of complementary conditions, because of the commission of an offence, in accordance with the national law of the Member State of the offence or, in cases where the right to drive, the driving licence or the validity of the driving licence is temporarily limited for other reasons, of the Member State suspending the right to drive, the driving licence, or the recognition of the validity of the driving licence;

- (19) “restriction” means the partial limitation of the right to drive, of the driving licence or of the recognition of the validity of the driving licence, either for a fixed period of time or until the fulfilment of complementary conditions, or for a combination of a fixed period of time and until the fulfilment of complementary conditions, because of the commission of an offence, in accordance with the national law of the Member State of the offence or, in cases where the right to drive, the driving licence, or the validity of the driving licence is partially limited for other reasons, of the Member State restricting the right to drive, the driving licence, or the recognition of the validity of the driving licence;
- (20) “complementary conditions” means conditions, other than the lapse of a fixed period of time, that a person subject to a driving disqualification either is required to comply with in order to recover the right to drive or his or her driving licence or to regain the recognition of the validity of his or her driving licence or can comply with in order to facilitate it;
- (21) “Member State of the offence” means the Member State where the offence was committed;
- (22) “Member State of issuance” means the Member State which issued the driving licence;

(23) “driving disqualification offence” means any of the following road-safety-related traffic offences:

- (a) drink-driving as defined in Article 3, point (g), of Directive (EU) 2015/413 of the European Parliament and of the Council*;
- (b) driving under the influence of drugs as defined in Article 3, point (h), of Directive (EU) 2015/413;
- (c) speeding as defined in Article 3, point (d), of Directive (EU) 2015/413;
- (d) conduct which infringes road traffic regulations and which caused, with a power-driven vehicle, death or serious bodily injury of another person, as defined in the national law of the Member State of the offence.

* Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information and mutual assistance on road-safety-related traffic offences (OJ L 68, 13.3.2015, p. 9, ELI: <http://data.europa.eu/eli/dir/2015/413/oj>).’;

(3) the following Articles are inserted:

‘Article 15a

Duty to notify driving disqualifications

1. The Member State of the offence shall, after verification, if appropriate, that the person subject to the driving disqualification does not have his or her normal residence in its territory and does not hold a driving licence issued by that Member State, notify without undue delay the Member State of issuance of the driving disqualification, provided that all the following conditions are fulfilled:
 - (a) the driving disqualification constitutes a withdrawal, suspension or restriction of the right to drive, of the driving licence or of the recognition of the validity of the driving licence;
 - (b) the driving disqualification was imposed due to the commission of a driving disqualification offence, in accordance with national law of the Member State of the offence;
 - (c) the decision imposing the driving disqualification is no longer subject to a right of appeal in the Member State of the offence;
 - (d) in cases where the driving disqualification is imposed for a fixed period of time, its duration is of at least three months;

- (e) at the time of notification, the remaining suspension or restriction period to be served pursuant to the driving disqualification is more than one month; and
 - (f) the person subject to the driving disqualification has been identified as the driver who has committed the driving disqualification offence.
- 2. The notification referred to in paragraph 1 shall be made in accordance with the procedure set out in paragraphs 3 and 4.
- 3. The competent authority of the Member State of the offence shall complete, sign and transmit the standard certificate for notifying a driving disqualification (the “standard driving disqualification certificate”) to the competent authority of the Member State of issuance in accordance with Article 22(3a). The competent authority of the Member State of the offence shall also transmit the decision imposing the driving disqualification, and the driving licence of the person subject to the driving disqualification if it has been surrendered, to the competent authority of the Member State of issuance.
- 4. The standard driving disqualification certificate shall be transmitted in electronic form. That certificate shall set out in a structured manner at least the following information:
 - (a) the name, postal address, e-mail address and telephone number of the competent authority that imposed the driving disqualification in the Member State of the offence;

- (b) the type of driving disqualification offence committed;
- (c) a description of the facts that led to the driving disqualification;
- (d) the applicable legal provisions in the Member State of the offence;
- (e) where applicable, the method used to detect the driving disqualification offence and the results of relevant measurements at the time of commission of that offence;
- (f) the following data in relation to the person subject to the driving disqualification: name; address used for communication by the Member State of the offence; driving licence number; if necessary, national identification number; and where available, driver number;
- (g) the precise scope, content and duration of the driving disqualification, including, if applicable, the date on which the driving disqualification process commenced, the date on which the suspension or the restriction ceases to have effect, codes listed in Annex I, Part E, and any complementary conditions set by the Member State of the offence;
- (h) the period in days of the driving disqualification which has already been served in the Member State of the offence, where applicable;

- (i) where applicable, any period of prohibition applicable in the Member State of the offence for recovering the existing driving licence or applying for a new driving licence; and
 - (j) notice of whether the person subject to the driving disqualification was notified of the driving disqualification by the Member State of the offence, whether the person subject to the driving disqualification appealed the decision imposing the driving disqualification in the Member State of the offence and whether the person subject to the driving disqualification was represented in the appeal procedure.
- 5. At least six months before the date of transposition, the Commission shall, by way of an implementing act, establish:
 - (a) the format and content of the standard driving disqualification certificate; and
 - (b) the format for the information provided under Articles 15f and 15g.

The implementing act referred to in the first subparagraph of this paragraph shall be adopted in accordance with the examination procedure referred to in Article 26(2).

Article 15b

Specifications concerning the language of the standard driving disqualification certificate

1. The standard driving disqualification certificate shall be transmitted in any official language of the institutions of the Union that is an official language of the Member State of issuance, or in any other official language of the institutions of the Union that the Member State of issuance has accepted in accordance with paragraph 2 of this Article.
2. Any Member State may, at any time, state in a declaration submitted to the Commission that it will accept standard driving disqualification certificates in one or more official languages of the institutions of the Union that are not an official language of the Member State of issuance. The Member State concerned may modify or withdraw such a declaration at any time. The Commission shall make this information available to all Member States, including in the EU driving licence network referred to in Article 22(1), in order to facilitate the notification by Member States.
3. There shall be no obligation on the Member State of the offence to translate the decision imposing the driving disqualification.

Article 15c

Obligation on the Member State of issuance to implement a driving disqualification imposed by the Member State of the offence

1. The Member State of issuance shall ensure that its competent authorities have the power to implement a withdrawal, suspension or restriction of the driving licence on the basis of a driving disqualification notified to them in accordance with Article 15a.
2. Without prejudice to the grounds for exemptions laid down in Article 15e, the Member State of issuance shall ensure that, in cases where its competent authorities receive a standard driving disqualification certificate in accordance with Article 15a, such authorities, in accordance with the procedure set out in Article 15d, shall withdraw, suspend or restrict the driving licence.

Article 15d

Implementation of a driving disqualification notified to the Member State of issuance

1. If the driving disqualification consists of a withdrawal in the Member State of the offence, the Member State of issuance shall:
 - (a) take measures resulting in either:
 - (i) the withdrawal of the driving licence of the person subject to the driving disqualification; or

- (ii) where withdrawal is not provided for in the Member State of issuance, the suspension of the driving licence for the duration laid down in the national law of the Member State of issuance for that type of driving disqualification offence, an assessment of the fitness or competence to drive of the driver and any action deemed appropriate following that assessment;
- (b) take into account, insofar as compatible with its national law, the complementary conditions with which the person subject to the driving disqualification is required to comply and that have been already fulfilled in the Member State of the offence; and
- (c) register the measures taken pursuant to point (a) in its national driving licence register for the purposes of disclosing that information in accordance with Article 22(3a).

In the event of a withdrawal, the person subject to the driving disqualification may recover his or her driving licence or apply for a new driving licence in accordance with Articles 10, 16 and 20.

2. If the driving disqualification consists of a suspension or a restriction, the Member State of issuance shall:
- (a) suspend or restrict, as appropriate, the driving licence of the person subject to the driving disqualification, until the date on which the suspension or the restriction imposed and notified by the Member State of the offence ceases to have effects, or for a period corresponding to the duration applied by the Member State of issuance for that type of driving disqualification offence if it is shorter than the duration imposed by the Member State of the offence;
 - (b) register the measure taken in the national driving licence register and disclose that information in accordance with Article 22(3a);
 - (c) where a suspension or restriction imposed and notified by the Member State of the offence is subject both to the lapse of a fixed period of time and the fulfilment of complementary conditions, take into account only the fixed period of time; and
 - (d) where a restriction is imposed and notified by the Member State of the offence, take it into account, insofar as compatible with the law of the Member State of issuance in terms of its nature.

3. Without prejudice to the ground for exemption laid down in Article 15e(1), point (a), when it adopts measures under this Article the Member State of issuance shall be bound by and rely on the information and facts provided by the Member State of the offence in accordance with Article 15a.
4. The Member State of issuance shall take the measures referred to in this Article, or adopt a decision that a ground of exemption pursuant to Article 15e applies, without undue delay and in any case within the time limits, if any, set out in national law regarding the imposition of driving disqualifications.
5. Nothing in this Directive shall prevent the Member State of the offence from:
 - (a) not recognising the validity of the driving licence that was recovered or newly obtained, during the period of prohibition applicable in the Member State of the offence for recovering the existing driving licence or applying for a new driving licence; and

- (b) enforcing the driving disqualification within its territory, for its entire duration, in accordance with its national law and provided that the following conditions are satisfied:
- (i) where the driving disqualification containing complementary conditions has been notified to the Member State of issuance in accordance with Article 15a, the Member State of the offence may continue to apply such driving disqualification within its territory until the person subject to the driving disqualification complies with those conditions; in such a case, the Member State of the offence shall indicate through the EU driving licence network the date on which the person subject to the driving disqualification has fulfilled the complementary conditions;
 - (ii) where the Member State of issuance has assessed that the person subject to the driving disqualification fulfils the conditions applicable in the Member State of issuance for recovering his or her driving licence or for applying for a new driving licence, the complementary conditions attached to a driving disqualification notified in accordance with Article 15a shall be deemed to be fulfilled by the Member State of the offence; in such a case, the Member State of issuance shall indicate in the EU driving licence network the date on which the person subject to the driving disqualification is deemed to have fulfilled the applicable conditions.

6. Nothing in this Directive shall prevent the Member State of issuance from assessing the fitness and competence to drive of the holder of the driving licence and, following that assessment, from taking any measures deemed appropriate in accordance with its national law, also taking into account the measures taken by the Member State of the offence, if there is reason to believe that the fitness or competence to drive of the holder of the driving licence poses a risk to road safety.

Article 15e

Grounds for exemption

1. The Member State of issuance shall not take the measures referred to in Article 15d(1) and (2) where:
 - (a) the standard driving disqualification certificate is incomplete or manifestly incorrect and the missing or correct information, as applicable, has not been provided in accordance with paragraph 3 of this Article;
 - (b) on the basis of information received from the Member State of the offence in accordance with Article 15f(2), point (b), it is established that the driving disqualification would already have ended in the Member State of the offence by the date on which the measures referred to in Article 15d(1) or (2) would be adopted by the Member State of issuance.

2. The Member State of issuance may, in accordance with its national law, also apply the following grounds of exemption:
- (a) the driving disqualification relates to a driving disqualification offence that, on the basis of the information notified under Article 15a, would not result in a driving disqualification under the law of the Member State of issuance;
 - (b) the driving disqualification was imposed only on grounds of speeding and the applicable speed limit in the Member State of the offence was exceeded by less than 50 km/h;
 - (c) the driving disqualification is statute-barred in accordance with the law of the Member State of issuance;
 - (d) there is an immunity or a privilege under the law of the Member State of issuance which makes it impossible to implement the driving disqualification;
 - (e) there are substantial grounds to believe that fundamental rights or fundamental legal principles as enshrined in the Charter of Fundamental Rights of the European Union are likely to be infringed; or
 - (f) the driving licence concerned by the notification is already subject to measures referred to in Article 15d(1) or (2) taken on the basis of another earlier notification and which are of a longer duration.

3. The Member State of issuance may request any necessary information for the purpose of examining whether a ground for exemption referred to in paragraph 1 or 2 applies. The Member State of the offence shall provide the requested information without delay and may provide any additional information or comment it deems relevant.

Information provided under this paragraph shall not include personal data other than those strictly necessary for the application of paragraphs 1 and 2 and shall be used for the sole purpose of applying those paragraphs.

Article 15f

Information to be exchanged between Member States when implementing a driving disqualification imposed by a Member State other than the Member State of issuance

1. The competent authority of the Member State of issuance shall without delay communicate to the competent authority of the Member State of the offence, in a structured manner and using an electronic form, in accordance with Article 22(3a), the measures taken under Article 15d or the decision that a ground of exemption applies pursuant to Article 15e together with the reasons for the decision.
2. If applicable, the competent authority of the Member State of the offence shall without delay inform the competent authority of the Member State of issuance of:
 - (a) any circumstance that affects the imposed driving disqualification;
 - (b) the end of the driving disqualification in the Member State of the offence.

Article 15g

Information to be provided to the person subject to a driving disqualification imposed by a Member State other than the Member State of issuance, and available legal remedies

1. The Member State of issuance shall inform the person subject to a driving disqualification of a notification under Article 15a, to the extent possible no later than 20 working days after its reception, in accordance with the procedures under its national law.
2. The information to be provided to the person subject to the driving disqualification shall specify at least:
 - (a) the name, postal address, e-mail address and telephone number of the authorities competent for the enforcement of the driving disqualification of both the Member State of issuance and the Member State of the offence; and
 - (b) the legal remedies available under the law of the Member State of issuance, along with the right to be heard.
3. The Member State of issuance shall inform the person subject to the driving disqualification, within the deadlines laid down for the notification of similar decisions under its national law, and in accordance with the procedures under its national law of at least:
 - (a) the adoption of measures under Article 15d (1) and (2);
 - (b) the details of those measures;

- (c) the legal remedies available under its national law to challenge those measures;
and
 - (d) the procedure to be followed for recovering the existing driving licence or
applying for a new driving licence.
4. Member States shall ensure that adequate legal remedies are available against decisions or measures taken pursuant to Articles 15a to 15g, in particular against the non-application of a ground for exemption. Member States shall take the appropriate measures to ensure that information about such remedies is provided in due time in order to ensure that those remedies can be exercised effectively.
5. A driving disqualification notified under Article 15a may only be challenged in an action brought in the Member State of the offence.
6. The Member State of the offence and the Member State of issuance shall inform each other about legal remedies sought against decisions or measures taken pursuant to Articles 15a to 15g. Upon request of the Member State of issuance, the Member State of the offence shall provide to the Member State of issuance any necessary information for the purpose of paragraph 3 of this Article.’;

(4) in Article 22, the following paragraph is inserted:

‘3a. All communications between the Member States pursuant to Articles 15a to 15g shall be made through the EU driving licence network referred to in paragraph 1 of this Article. To that end, Member States shall grant access to the EU driving licence network to national contact points designated for the purposes of Articles 15a to 15g.

Member States shall ensure that their respective national contact points cooperate with the authorities competent for the enforcement of the driving disqualifications imposed for the commission of driving disqualification offences, in particular in order to ensure that all relevant information is shared in due time.’;

(5) in Article 23, the following paragraph is inserted:

‘2a. By ... [4 years from the date of entry into force of this Directive], and every five years thereafter, as part of the information provided under paragraph 2 of this Article, Member States shall inform the Commission, based on data gathered for each calendar year, about:

- (a) the number of notifications received under Article 15a(1), broken down by Member State of the offence;
- (b) the number of times a ground for exemption was invoked under Article 15e, including the grounds for exemption applied, broken down by notifying Member State; and

- (c) any useful information regarding the proper functioning and effectiveness of this Directive under Articles 15a to 15g, including in relation to legal remedies.’;

(6) in Article 24, paragraph 1, the following point is added:

- ‘(c) the possibility to further extend the application of Articles 15a to 15g to driving disqualifications imposed on the basis of traffic offences other than driving disqualification offences, to further improve the EU driving licence network as necessary to reduce administrative burden and optimise the notification processes, and to further facilitate the implementation of a driving disqualification imposed in a Member State other than the Member State of issuance or normal residence.’.

Article 2

Transposition

1. By ... [3 years from the date of entry into force of this amending Directive], Member States shall adopt and publish the measures necessary to comply with this Directive. They shall immediately inform the Commission thereof.

They shall apply those measures from ... [4 years from the date of entry into force of this amending Directive].

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. As soon as this Directive has entered into force, Member States shall ensure that the Commission is informed, in sufficient time for it to submit its comments, of any draft laws, regulations or administrative provisions which they intend to adopt in the field covered by this Directive.

Article 3

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

Addressees

This Directive is addressed to the Member States.

Done at ..., ...

For the European Parliament
The President

For the Council
The President
