



**COUNCIL OF  
THE EUROPEAN UNION**

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**Interinstitutional File:  
2003/0252 (COD)**

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**NOTE**

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from: General Secretariat  
to: Permanent Representatives' Committee/Council  
Subject: Proposal for a Directive of the European Parliament and of the Council on driving licences (recasting)  
– Outcome of the European Parliament's second reading  
(Strasbourg, 11 to 14 December 2006)

**COMMON GUIDELINES**

**Consultation deadline for Bulgaria and Romania: 15.12.2006**

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**I. INTRODUCTION**

In accordance with the provisions of Article 251 (2) of the EC Treaty and the joint declaration on practical arrangements for the codecision procedure <sup>1</sup>, a number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this dossier at second reading, thereby avoiding the need for a conciliation procedure.

In this context, the rapporteur, Mr. GROSH (EPP\_ED-BE), presented 5 compromise amendments to the common position, on behalf of five political groups. These amendments had been agreed during the informal contacts referred to above.

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<sup>1</sup> OJ C 148, 28.5.1999, p.1

## II. VOTE

The plenary adopted the 5 compromise amendments to the common position. No other amendments were adopted. The amendments adopted correspond to what was agreed between the three institutions. Once these amendments have been scrutinized by the legal linguists of the Council and the Parliament, the Council should be in a position to approve them.

The text of the amendments adopted and the European Parliament legislative resolution are annexed to this note.

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## **Driving licenses \*\*\*II**

### **European Parliament legislative resolution on the Council common position for adopting a directive of the European Parliament and of the Council on driving licences (9010/1/2006 – C6-0312/2006 – 2003/0252(COD))**

#### **(Codecision procedure: second reading)**

*The European Parliament,*

- having regard to the Council common position (9010/1/2006 – C6-0312/2006),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to Parliament and the Council (COM(2003)0621)<sup>2</sup>,
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 62 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Transport and Tourism (A6-0414/2006),
1. Approves the common position as amended;
  2. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C 304 E, 1.12.2005, p. 138.

<sup>2</sup> Not yet published in OJ.

Amendment 1  
Recital 20 a (new)

***(20a) In particular, the Commission should be empowered to establish the criteria necessary for the application of this Directive. Since those measures are of general scope and are designed to amend non-essential elements of this Directive, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.***

Amendment 2  
Article 1, paragraph 2

2. Without prejudice to data protection rules, Member States may introduce a storage medium (microchip) as part of the driving licence, as soon as the requirements ***in Annex I*** concerning the microchip are laid down by the Commission in accordance with the procedure referred to in Article 9(2). These requirements shall provide for EC type approval, which shall only be granted when the ability to resist attempts to tamper with or alter data is demonstrated.

2. Without prejudice to data protection rules, Member States may introduce a storage medium (microchip) as part of the driving licence, as soon as the requirements concerning the microchip ***referred to in Annex I, which are designed to amend non-essential elements of this Directive, by supplementing it,*** are laid down by the Commission in accordance with the procedure referred to in Article 9(2). These requirements shall provide for EC type approval, which shall only be granted when the ability to resist attempts to tamper with or alter data is demonstrated.

Amendment 3  
Article 1, paragraph 3, subparagraph 3

In accordance with the procedure referred to in Article 9(2), the Commission may ***adapt*** Annex I in order to guarantee future interoperability.

In accordance with the procedure referred to in Article 9(2), the Commission may ***amend*** Annex I in order to guarantee future interoperability.

Amendment 4  
Article 3, paragraph 2

2. The material used for the driving licence, as set out in Annex I, shall be made secure against forgery in application of specifications which are to be laid down by the Commission in accordance with the procedure referred to in Article 9(2). Member States are free to introduce additional security features.

2. The material used for the driving licence, as set out in Annex I, shall be made secure against forgery in application of specifications ***designed to amend non-essential elements of this Directive, by supplementing it***, which are to be laid down by the Commission in accordance with the procedure referred to in Article 9(2). Member States are free to introduce additional security features.

Amendment 5  
Article 9, paragraphs 2 and 3

2. Where reference is made to this paragraph, ***Articles 5 and 7*** of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

***The period laid down in Article 5(6) of Decision 1999/468/EC shall be 3 months.***

***3. The Committee shall adopt its Rules of Procedure.***

2. Where reference is made to this paragraph, ***Article 5a (1) to (4), and Article 7*** of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.