

Distr.: General
16 March 2012

English only

Economic Commission for Europe

Inland Transport Committee

Working Party on Road Traffic Safety

Sixty-third session

Geneva, 19–22 March 2012

Item 6 (b) of the provisional agenda

Convention on Road Traffic (1968)

Other issues: Driving Permits and Distinguishing Signs

Convention on Road Traffic (1968)

Transmitted by European Commission

This informal paper was submitted by the European Commission to elaborate on the relationship between the 1968 Convention on Road Traffic and Directive 2006/126/EC concerning driving permit categories.

1. The EU is not a contracting party to the Vienna Convention and therefore is not bound by its requirements. On the other hand, in accordance with their obligations under the Treaty on the Functioning of the EU, Member States are bound to implement as from 19 January 2013 the provisions of Directive 2006/126/EC on driving licences.
2. Since Member States have also taken commitments under the 1968 Vienna Convention on Road Traffic, it is important to avoid discrepancies between the EU and the international framework which would risk to negatively affect the mutual recognition of driving licences.
3. The differences between the provisions of the EU and of the Vienna Convention should be either very minimal or not relevant and, where they exist, would mostly affect the holders of EU driving licences.
4. Firstly, as regards the AM licence introduced in Directive 2006/126/EC, this category is not in the scope of Chapter IV of the Vienna Convention regarding driving permits. There cannot be therefore any discrepancy with the Vienna Convention and it will be the decision of each State to apply or not mutual recognition to such vehicles.
5. The EU has also introduced a category A2 which is not mentioned in Annex VI of the Vienna Convention. However, A2 category is a mere subset of the A category established with a view to implement - in the interest of road safety - the concept of progressive access to more powerful motorcycles of this category. In this respect the EU category A2 shall be regarded as part of the A category "Motorcycles", as defined in the Vienna Convention. Therefore, there shall be no contradiction between the EU legislation and the Vienna Convention.
6. A discrepancy may occur in relation with the driving licences issued to light quadricycles and tricycles. Light quadricycles and tricycles are considered respectively as AM and A1 or A vehicles according to Directive 2006/126/EC. According to the Vienna Convention, which is still aligned with the older EU driving licence legislation of 1991, they would be regarded as falling under the B1 category. However, the practical effect of this discrepancy is marginal, since such vehicles would rarely be engaged in international traffic outside the EU. If such case arises, non-EU contracting parties may require that the driver is in possession of a B1 or B licence in accordance with the Vienna Convention.
7. Another difference can be found in relation with category B and refers to the possibility for an EU Member State to authorise under strict conditions (training and testing) the driving of a vehicle combined with a trailer exceeding 750 kg in a combination up to 4250 kg. This does not affect however the definition of categories laid down in Annex 6 as it does not introduce a new driving licence category. The entitlement to drive granted to the driver will be mentioned on the driving licence with a code, that is valid only within the EU and therefore not applicable in non-EU contracting parties to the Vienna Convention.
8. More generally, the origin of the few differences described above is due to the fact that the evolution of the EU driving licence Directive takes closely into account technological developments as well as the need to strengthen road safety. The Commission considers that the provisions of the Vienna Convention, which reflect the contents of the EU driving legislation as adopted in July 1991, should now be amended with a view to reflect such progress, with for instance the introduction of new provisions concerning driving permits for AM, A2 and tricycles. The Commission will of course strongly support any initiative towards such a revision.
9. To conclude, the Commission is fully aware of the importance of the Vienna Convention to facilitate international traffic and to improve road safety. The Commission is willing to contribute to a more efficient implementation of the principle of mutual

recognition between the signatory parties to the Vienna Convention. In this respect, the EU has already taken steps to reduce the risks of fraud to the EU driving licences, through the adoption of a new EU driving licence model with several security features, as well as with the ongoing adoption of specifications for microchips to be inserted on driving licences on the basis of the relevant ISO standards.
