

Driving Permits (DPs)

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Overview

- **Background**
- **Key questions**
- **Guiding principles**
- **Next steps**
- **Additional measures for CPs to the 1949 Convention**

Background: Issues concerning IDPs

1. Limitations of current IDPs (1968 and 1949 Conventions)

- Easily copied and altered (difficult for law enforcement authorities to detect fraudulent permits from genuine permits)
- No register or directory of national motor vehicle agency addresses for the inquiry and exchange of information to verify the validity of a presented IDP
- Suspension or cancellation of DDP should result in an automatic cancellation of the IDP (not facilitated by the current system)
- Paper booklets don't tap into the benefits of today's digital age, and aren't as environmentally friendly

2. Non Contracting Parties issuing IDPs

3. Inconsistent standing/status and form of IDPs depending on whether it is issued per the 1949 or 1968 Convention

- 1949: standalone legal document, text only, no pictograms
- 1968: needs to be accompanied by DDP, pictograms
- Q1: What happens when a driver with an IDP (per 1968) is stopped by traffic police in a 1949 CP? Is the 1949 CP obliged to recognize the 1968 IDP?
- Q2: Is a CP to both 1949 and 1968 Conventions obliged to issue both 1949 and 1968 IDPs depending on which CP countries its drivers are going to?

Background: Status of IDPs

1949 Convention on Road Traffic

Article 24, para 2

‘A Contracting State may however require that any driver admitted to its territory shall carry an international driving permit conforming to the model contained in annex 10, especially in the case of a driver coming from a country where a domestic driving permit is not required or where the domestic permit issued to him does not conform to the model contained in annex 9.’

1968 Convention on Road Traffic

Article 41, paras 2(a)(ii) and 5

‘2(a) Contracting Parties shall recognize: ... (ii) any international permit conforming to the provisions of Annex 7 to this Convention, **on condition that it is presented with the corresponding domestic driving permit.**’

"5. An international driving permit shall be issued only to the holder of a domestic permit for the issue of which the minimum conditions laid down in this Convention have been fulfilled."

Key Questions

1. Are 1968 CPs obliged to issue domestic permits (DDPs) and international permits (IDPs) in conformity with Annexes 6 and 7?
2. Was Annex 6 DDP intended for international use only or also for domestic use?
3. What should be the right approach?

Q1: Are 1968 CPs obliged to issue DDPs and IDPs in conformity with Annexes 6 and 7?

- Secretariat's view is YES, 1968 CPs are obliged to issue an (all purpose) DDP and IDP in conformity with Annexes 6 and 7:
 - Language of Arts. 41 and 43 (mandatory “shall”, no explicit distinction between DDPs for international use and domestic use);
 - Original text of the 1968 Convention, and the 1993 and 2006 amendments;
 - Spirit of the 2006 amendments (per Explanatory Memorandum); and
 - 2.1.1.1.1 of RE.1 (Driving permits and the Convention on Road Traffic).
- There seems to be ambiguity in the language of the text

Basis for secretariat's view

1968 Original Text

- <https://treaties.un.org/doc/Publication/UNTS/Volume%201042/v1042.pdf>

1993 Amendments

- <http://www.unece.org/fileadmin/DAM/trans/conventn/crt1968e.pdf>

2006 Explanatory Memorandum

- <http://www.unece.org/fileadmin/DAM/trans/doc/2003/wp1/TRANS-WP1-2003-01r4e.pdf>

2.1.1.1.1 of RE.1

- <http://www.unece.org/fileadmin/DAM/trans/main/wp1/wp1fdoc/ECE-TRANS-WP1-123e.pdf>

Q2: Was the Annex 6 DDP intended for international use only or also for domestic use?

- Based on secretariat's analysis to Q1 above, the answer is that the Annex 6 DDP was intended for domestic and international use at the same time (ie an all purpose DP).
- This begs the Q why then are IDPs still foreseen and included in the 1968 Convention if an all purpose DDP is enough?
 - Translation (of proper DDP issued per Annex 6); and
 - Stationary, more recognizable format (Annex 6 format) of DDPs issued prior to Annex 6 (which remain valid, sometimes forever)

Q3: What should be the right approach?

- ONE of the following OPTIONS:
 1. Annex 6 DDP, no IDP (amendment required)
 2. Annex 6 DDP, and Annex 7 IDP accompanied by Annex 6 DDP (no amendment required?)
 3. Annex 6 DDP, and IDP accompanied by national, non-Annex 6 DDP (no amendment required?)
 4. Annex 6 DDP, Annex 7 IDP accompanied by Annex 6 DDP, and IDP on the basis of Annex 10 of the 1949 Convention (for 1968 drivers travelling to 1949 countries) (amendment required?)
 5. Annex 6 DDP, and standalone Annex 7 IDP (amendment required)
 6. Annex 6 DDP, national, non-Annex 6 DDP (for domestic use only), and standalone Annex 7 IDP (amendment required)

Guiding objectives :

- Harmonization
- Fraud prevention/security
- Consistency (or bridging the gap) between the 1949 and 1968 Conventions
- Acceptability and feasibility

Next Steps

WP.1 to discuss each question and make a decision on one of the six options

How can we accommodate 1949 CPs?

If the 1949 Convention proves practically impossible to amend, and to try to accommodate the 1949 CPs which are not willing to accede to the 1968 Convention

- Set of principles concerning DPs (this is primarily for 1949 Convention/CPs because of the difficulty to amend):
 - 1968 CPs to accept DDP issued by 1949 CPs on the basis of Annex 6
 - 1968 CPs to accept IDP issued by 1949 CPs on the basis of Annex 7