

Directive 2006/126/EC of the European Parliament and of the Council of
20 December 2006 on driving licences (Recast) (Text with EEA relevance)

Article 1

Model licence

1 Member States shall introduce a national driving licence based on the Community model set out in Annex I, in accordance with the provisions of this Directive. The emblem on page 1 of the Community model driving licences shall contain the distinguishing sign of the Member State issuing the licence.

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.

3 The microchip shall incorporate the harmonised driving licence data specified in Annex I.

After consulting the Commission, Member States may store additional data, provided that it does not in any way interfere with the implementation of this Directive.

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

4 With the agreement of the Commission, Member States may make to the model set out in Annex I such adjustments as are necessary for computer processing of the driving licence.

Article 2

Mutual recognition

1 Driving licences issued by Member States shall be mutually recognised.

2 When the holder of a valid national driving licence without the administrative validity period set out in Article 7(2) takes up normal residence in a Member State other than that which issued the driving licence, the host Member State may apply to the licence the administrative validity periods set out in that Article by renewing the driving licence, as from 2 years after the date on which the holder has taken up normal residence on its territory.

Article 3

Anti-forgery measures

1 Member States shall take all necessary steps to avoid any risk of forgery of driving licences, including that of model driving licences issued before the entry into force of this Directive. They shall inform the Commission thereof.

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.

3 Member States shall ensure that, by 19 January 2033, all driving licences issued or in circulation fulfil all the requirements of this Directive.

Article 4

Categories, definitions and minimum ages

1 The driving licence provided for in Article 1 shall authorise the driving of power-driven vehicles in the categories defined hereafter. It may be issued from the minimum age indicated for each category. A ‘power-driven vehicle’ means any self-propelled vehicle running on a road under its own power, other than a rail-borne vehicle.

2 mopeds:

Category AM:

- Two-wheel vehicles or three-wheel vehicles with a maximum design speed of not more than 45 km/h, as defined in Article 1(2)(a) of Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles⁽¹⁾ (excluding those with a maximum design speed under or equal to 25 km/h), and light quadricycles as defined in Article 1(3)(a) of Directive 2002/24/EC,
- the minimum age for category AM is fixed at 16 years;

3 motorcycles with or without a sidecar and motor tricycles:

- ‘motorcycle’ means two-wheel vehicles with or without a sidecar, as defined in Article 1(2)(b) of Directive 2002/24/EC,
- ‘motor tricycle’ means vehicles with three symmetrically arranged wheels, as defined in Article 1(2)(c) of Directive 2002/24/EC;

(a) Category A1:

- motorcycles with a cylinder capacity not exceeding 125 cubic centimetres, of a power not exceeding 11 kW and with a power/weight ratio not exceeding 0,1 kW/kg,
- motor tricycles with a power not exceeding 15 kW,
- the minimum age for category A1 is fixed at 16 years;

(b) Category A2:

- motorcycles of a power not exceeding 35 kW and with a power/weight ratio not exceeding 0,2 kW/kg and not derived from a vehicle of more than double its power,
- the minimum age for category A2 is fixed at 18 years;

(c) Category A:

(i) motorcycles

- The minimum age for category A is fixed at 20 years. However, access to the driving of motorcycles of this category shall be subject to a minimum of two years' experience on motorcycles

under an A2 licence. This requirement as to previous experience may be waived if the candidate is at least 24 years old.

- (ii) motor tricycles with a power exceeding 15 kW
 - The minimum age for motor tricycles exceeding 15 kW is fixed at 21 years.

4 motor vehicles:

— ‘motor vehicle’ means any power-driven vehicle, which is normally used for carrying persons or goods by road or for drawing, on the road, vehicles used for the carriage of persons or goods. This term shall include trolleybuses, i.e. vehicles connected to an electric conductor and not rail-borne. It shall not include agricultural or forestry tractors,

— ‘Agricultural or forestry tractor’ means any power-driven vehicle running on wheels or tracks, having at least two axles, the principal function of which lies in its tractive power, which is specially designed to pull, push, carry or operate certain tools, machines or trailers used in connection with agricultural or forestry operations, and the use of which for carrying persons or goods by road or drawing, on the road, vehicles used for the carriage of persons or goods is only a secondary function;

(a) Category B1:

- quadricycles, as defined in Article 1(3)(b) of Directive 2002/24/EC,
- the minimum age for category B1 is fixed at 16 years,
- category B1 is optional; in Member States which do not introduce this category of driving licence, a driving licence for category B shall be required to drive such vehicles;

(b) Category B:

motor vehicles with a maximum authorised mass not exceeding 3 500 kg and designed and constructed for the carriage of no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg.

Without prejudice to the provisions of type-approval rules for the vehicles concerned, motor vehicles in this category may be combined with a trailer with a maximum authorised mass exceeding 750 kg, provided that the maximum authorised mass of this combination does not exceed 4 250 kg. In case such a combination exceeds 3 500 kg, Member States shall, in accordance with the provisions of Annex V, require that this combination shall only be driven after:

- a training has been completed, or
- a test of skills and behaviour has been passed.

Member States may also require both such a training and the passing of a test of skills and behaviour.

Member States shall indicate the entitlement to drive such a combination on the driving licence by means of the relevant Community code.

The minimum age for category B is fixed at 18 years;

(c) Category BE:

- without prejudice to the provisions of type-approval rules for the vehicles concerned, combination of vehicles consisting of a tractor vehicle in

- category B and a trailer or semi-trailer where the maximum authorised mass of the trailer or semi-trailer does not exceed 3 500 kg,
 - the minimum age for category BE is fixed at 18 years;
- (d) Category C1:
- motor vehicles other than those in categories D1 or D, the maximum authorised mass of which exceeds 3 500 kg, but does not exceed 7 500 kg, and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;
- (e) Category C1E:
- without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category C1 and its trailer or semi-trailer has a maximum authorised mass of over 750 kg provided that the authorised mass of the combination does not exceed 12 000 kg,
 - without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category B and its trailer or semi-trailer has an authorised mass of over 3 500 kg, provided that the authorised mass of the combination does not exceed 12 000 kg,
 - the minimum age for categories C1 and C1E is fixed at the age of 18 years, without prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers⁽²⁾;
- (f) Category C:
- motor vehicles other than those in categories D1 or D, whose maximum authorised mass is over 3 500 kg and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg;
- (g) Category CE:
- without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category C and its trailer or semi-trailer has a maximum authorised mass of over 750 kg,
 - the minimum age for categories C and CE is fixed at 21 years, without prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC;
- (h) Category D1:
- motor vehicles designed and constructed for the carriage of no more than 16 passengers in addition to the driver and with a maximum length not exceeding 8 m; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg;
- (i) Category D1E:

- without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category D1 and its trailer has a maximum authorised mass of over 750 kg,
- the minimum age for categories D1 and D1E is fixed at 21 years, without prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC;

(j) Category D:

motor vehicles designed and constructed for the carriage of more than eight passengers in addition to the driver; motor vehicles which may be driven with a category D licence may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg;

(k) Category DE:

- without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category D and its trailer has a maximum authorised mass of over 750 kg,
- the minimum age for categories D and DE is fixed at 24 years, without prejudice to the provisions for the driving of such vehicles in Directive 2003/59/EC;

5 With the agreement of the Commission, Member States may exclude from the application of this Article certain specific types of power-driven vehicle such as special vehicles for disabled persons.

Member States may exclude from the application of this Directive vehicles used by, or under the control of, the armed forces and civil defence.

6 Member States may raise or lower the minimum age for issuing a driving licence:

- a for category AM down to 14 years or up to 18 years;
- b for category B1 up to 18 years;
- c for category A1 up to 17 or 18 years,
 - if there is a two years difference between the minimum age for category A1 and the minimum age for category A2, and
 - there is a requirement of a minimum of two years experience on motorcycles of category A2 before access to the driving of motorcycles for category A can be granted, as referred to in Article 4(3)(c)(i);
- d for categories B and BE down to 17 years.

Member States may lower the minimum age for category C to 18 years and for category D to 21 years with regard to:

- a vehicles used by the fire service and vehicles used for maintaining public order;
- b vehicles undergoing road tests for repair or maintenance purposes.

Driving licences issued to persons at a lower age than set out in paragraphs 2 to 4 in accordance with this paragraph shall only be valid on the territory of the issuing Member State until the licence holder has reached the minimum age limit set out in paragraphs 2 to 4.

Member States may recognise the validity on their territory of driving licences issued to drivers under the minimum ages set out in paragraphs 2 to 4.

Article 5

Conditions and restrictions

- 1 Driving licences shall state the conditions under which the driver is authorised to drive.
- 2 If, because of a physical disability, driving is authorised only for certain types of vehicle or for adapted vehicles, the test of skills and behaviour provided for in Article 7 shall be taken in such a vehicle.

Article 6

Staging and equivalences between categories

- 1 The issue of driving licences shall be subject to the following conditions:
 - a licences for categories C1, C, D1 and D shall be issued only to drivers already entitled to drive vehicles in category B;
 - b licences for categories BE, C1E, CE, D1E and DE shall be issued only to drivers already entitled to drive vehicles in categories B, C1, C, D1 and D respectively.
- 2 The validity of driving licences shall be determined as follows:
 - a licences granted for categories C1E, CE, D1E or DE shall be valid for combinations of vehicles in category BE;
 - b licences granted for category CE shall be valid for category DE as long as their holders are entitled to drive vehicles in category D;
 - c licences granted for category CE and DE shall be valid for combinations of vehicles in categories C1E and D1E respectively;
 - d licences granted for any category shall be valid for vehicles in category AM. However, for driving licences issued on its territory, a Member State may limit the equivalences for category AM to categories A1, A2 and A, if that Member State imposes a practical test as a condition for obtaining category AM;
 - e licences issued for category A2 shall also be valid for category A1;
 - f licences granted for categories A, B, C or D shall be valid for categories A1, A2, B1, C1, or D1 respectively.
- 3 For driving on their territory, Member States may grant the following equivalences:
 - a motor tricycles under a licence for category B, for motor tricycles with a power exceeding 15 kW provided that the holder of the licence for category B is at least 21 years old;
 - b category A1 motorcycles under a licence for category B.

As this paragraph is only valid on their territories, Member States shall not indicate on the driving licence that a holder is entitled to drive these vehicles.

- 4 Member States may, after consulting the Commission, authorise the driving on their territory of:
 - a vehicles of category D1 (with a maximum authorised mass of 3 500 kg, excluding any specialised equipment intended for the carriage of disabled passengers) by holders over 21 years old of a driving licence for category B which was obtained at least two years earlier provided that the vehicles are being used by non-commercial bodies for social purposes and that the driver provides his services on a voluntary basis;

- b vehicles of a maximum authorised mass exceeding 3 500 kg by holders over 21 years old of a driving licence for category B which was obtained at least two years before, provided that the main purpose of the vehicles is to be used only when stationary as an instructional or recreational area, and that they are being used by non-commercial bodies for social purposes and that vehicles have been modified so that they may not be used either for the transport of more than nine persons or for the transport of any goods other than those strictly necessary for their purposes.

Article 7

Issue, validity and renewal

- 1 Driving licences shall be issued only to those applicants:
 - a who have passed a test of skills and behaviour and a theoretical test and who meet medical standards, in accordance with the provisions of Annexes II and III;
 - b who have passed a theory test only as regards category AM; Member States may require applicants to pass a test of skills and behaviour and a medical examination for this category.

For tricycles and quadricycles within this category, Member States may impose a distinctive test of skills and behaviour. For the differentiation of vehicles in category AM, a national code may be inserted on the driving licence;
 - c who have, as regards category A2 or category A, on the condition of having acquired a minimum of 2 years' experience on a motorcycle in category A1 or in category A2 respectively, passed a test of skills and behaviour only, or completed a training pursuant to Annex VI;
 - d who have completed a training or passed a test of skills and behaviour, or completed a training and passed a test of skills and behaviour pursuant to Annex V as regards category B for driving a vehicle combination as defined in the second subparagraph of Article 4(4)(b);
 - e who have their normal residence in the territory of the Member State issuing the licence, or can produce evidence that they have been studying there for at least six months.
- 2
 - a As from 19 January 2013, licences issued by Member States for categories AM, A1, A2, A, B, B1 and BE shall have an administrative validity of 10 years.

A Member State may choose to issue such licences with an administrative validity of up to 15 years;
 - b As from 19 January 2013, licences issued by Member States for categories C, CE, C1, C1E, D, DE, D1, D1E shall have an administrative validity of 5 years;
 - c The renewal of a driving licence may trigger a new administrative validity period for another category or categories the licence holder is entitled to drive, insofar as this is in conformity with the conditions laid down in this Directive;
 - d The presence of a microchip pursuant to Article 1 shall not be a prerequisite for the validity of a driving licence. The loss or unreadability of the microchip, or any other damage thereto, shall not affect the validity of the document.
- 3 The renewal of driving licences when their administrative validity expires shall be subject to:

- a continuing compliance with the minimum standards of physical and mental fitness for driving set out in Annex III for driving licences in categories C, CE, C1, C1E, D, DE, D1, D1E; and
- b normal residence in the territory of the Member State issuing the licence, or evidence that applicants have been studying there for at least six months.

Member States may, when renewing driving licences in categories AM, A, A1, A2, B, B1 and BE, require an examination applying the minimum standards of physical and mental fitness for driving set out in Annex III.

Member States may limit the period of administrative validity set out in paragraph 2 of driving licences issued to novice drivers for any category in order to apply specific measures to such drivers, aiming at improving road safety.

Member States may limit the period of administrative validity of the first licence issued to novice drivers for categories C and D to 3 years in order to be able to apply specific measures to such drivers, so as to improve their road safety.

Member States may limit the period of administrative validity set out in paragraph 2 of individual driving licences for any category in case it is found necessary to apply an increased frequency of medical checks or other specific measures such as restrictions for traffic offenders.

Member States may reduce the period of administrative validity set out in paragraph 2 of driving licences of holders residing on their territory having reached the age of 50 years in order to apply an increased frequency of medical checks or other specific measures such as refresher courses. This reduced period of administrative validity can only be applied upon renewing the driving licence.

4 Without prejudice to national criminal and police laws, Member States may, after consulting the Commission, apply to the issuing of driving licences the provisions of their national rules relating to conditions other than those referred to in this Directive.

5

- a No person may hold more than one driving licence;
- b A Member State shall refuse to issue a licence where it establishes that the applicant already holds a driving licence;
- c Member States shall take the necessary measures pursuant to point (b). The necessary measures as regards the issue, replacement, renewal or exchange of a driving licence shall be to verify with other Member States where there are reasonable grounds to suspect that the applicant is already the holder of another driving licence;
- d In order to facilitate the checks pursuant to point (b), Member States shall use the EU driving licence network once it is operational.

Without prejudice to Article 2, a Member State issuing a licence shall apply due diligence to ensure that a person fulfils the requirements set out in paragraph 1 of this Article and shall apply its national provisions on the cancellation or withdrawal of the right to drive if it is established that a licence has been issued without the requirements having been met.

Article 8

Adaptation to scientific and technical progress

The amendments necessary to adapt Annexes I to VI to scientific and technical progress shall be adopted in accordance with the procedure referred to in Article 9(2).

Article 9

Committee

- 1 The Commission shall be assisted by the committee on driving licences.
- 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.

Article 10

Examiners

From the entry into force of this Directive, driving examiners shall meet the minimum standards set out in Annex IV.

Driving examiners already working in that capacity before 19 January 2013 shall be subject only to the requirements concerning quality assurance and regular periodic training measures.

Article 11

Various provisions concerning the exchange, the withdrawal, the replacement and the recognition of driving licences

- 1 Where the holder of a valid national driving licence issued by a Member State has taken up normal residence in another Member State, he may request that his driving licence be exchanged for an equivalent licence. It shall be for the Member State effecting the exchange to check for which category the licence submitted is in fact still valid.
- 2 Subject to observance of the principle of territoriality of criminal and police laws, the Member State 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.
- 3 The Member State effecting the exchange shall return the old licence to the authorities of the Member State which issued it and give the reasons for doing so.
- 4 A Member State shall refuse to issue a driving licence to an applicant whose driving licence is restricted, suspended or withdrawn in another Member State.

A Member State shall refuse to recognise the validity of any driving licence issued by another Member State to a person whose driving licence is restricted, suspended or withdrawn in the former State's territory.

A Member State may also refuse to issue a driving licence to an applicant whose licence is cancelled in another Member State.

5 A replacement for a driving licence which has, for example, been lost or stolen may only be obtained from the competent authorities of the Member State in which the holder has his normal residence; those authorities shall provide the replacement on the basis of the information in their possession or, where appropriate, proof from the competent authorities of the Member State which issued the original licence.

6 Where a Member State exchanges a driving licence issued by a third country for a Community model driving licence, such exchange shall be recorded on the Community model driving licence as shall any subsequent renewal or replacement.

Such an exchange may occur only if the licence issued by the third country has been surrendered to the competent authorities of the Member State making the exchange. If the holder of this licence transfers his normal residence to another Member State, the latter need not apply the principle of mutual recognition set out in Article 2.

Article 12

Normal residence

For the purpose of this Directive, 'normal residence' means the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living.

However, the normal residence of a person whose occupational ties are in a different place from his personal ties and who consequently lives in turn in different places situated in two or more Member States shall be regarded as being the place of his personal ties, provided that such person returns there regularly. This last condition need not be met where the person is living in a Member State in order to carry out a task of a definite duration. Attendance at a university or school shall not imply transfer of normal residence.

Article 13

Equivalences between non-Community model licences

1 With the agreement of the Commission, Member States shall establish equivalences between entitlements obtained before the implementation of this Directive and the categories defined in Article 4.

After consulting the Commission, Member States may make to their national legislation such adjustments as are necessary for the purpose of implementing the provisions of Article 11(4), (5) and (6).

2 Any entitlement to drive granted before 19 January 2013 shall not be removed or in any way qualified by the provisions of this Directive.

Article 14

Review

The Commission shall report on the implementation of this Directive, including its impact on road safety, not earlier than 19 January 2018.

Article 15

Mutual Assistance

Member States shall assist one another in the implementation of this Directive and shall exchange information on the licences they have issued, exchanged, replaced, renewed or revoked. They shall use the EU driving licence network set up for these purposes, once this network is operational.

Article 16

Transposition

1 Member States shall adopt and publish, not later than 19 January 2011, the laws, regulations and administrative provisions necessary to comply with Article 1(1), Article 3, Article 4(1), (2), (3) and (4)(b) to (k), Article 6(1), (2)(a), (c), (d) and (e), Article 7(1)(b), (c) and (d), (2), (3) and (5), Article 8, Article 10, Article 13, Article 14, Article 15, and Annexes I, point 2, II, point 5.2 concerning categories A1, A2 and A, IV, V and VI. They shall forthwith communicate to the Commission the text of those provisions.

2 They shall apply those provisions as from 19 January 2013.

3 When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. They shall also contain an indication that references made, in the laws, regulations or administrative provisions in force, to the repealed Directive shall be construed as being made to this Directive. The methods of making such reference, and its wording, shall be laid down by Member States.

4 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 17

Repeal

Directive 91/439/EEC shall be repealed with effect from 19 January 2013, without prejudice to the obligations of the Member States with regard to the deadlines indicated in Annex VII, Part B for transposing that Directive into national law.

Article 2(4) of Directive 91/439/EEC shall be repealed on 19 January 2007.

References made to the repealed Directive shall be construed as being made to this Directive and should be read in accordance with the correlation table in Annex VIII.

*Article 18***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 2(1), Article 5, Article 6(2)(b), Article 7(1)(a), Article 9, Article 11(1), (3), (4), (5) and (6), Article 12, and Annexes I, II and III shall apply from 19 January 2009.

*Article 19***Addressees**

This Directive is addressed to the Member States.

Done at Brussels, 20 December 2006.

For the European Parliament

The President

J. BORRELL FONTELLES

For the Council

The President

J. KORKEAOJA

Status: This is the original version (as it was originally adopted).

- (1) [OJ L 124, 9.5.2002, p. 1](#). Directive as last amended by Commission Directive 2005/30/EC ([OJ L 106, 27.4.2005, p. 17](#)).
- (2) [OJ L 226, 10.9.2003, p. 4](#). Directive as amended by Council Directive 2004/66/EC ([OJ L 168, 1.5.2004, p. 35](#)).