



Brussels, 1.2.2017
COM(2017) 47 final

ANNEX 1

ANNEX

to the

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences

{SWD(2017) 26 final}

{SWD(2017) 27 final}

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DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences

Annexes I and II are amended as follows:

(1) Annex I is amended as follows:

(a) Section 1 is amended as follows:

(a) the second paragraph is replaced by the following:

"The minimum level of qualification shall be comparable at least to level 2 of the European Qualifications Framework as provided for in Annex II to Recommendation of the European Parliament and of the Council 2008/C 111/01(*).

(*) Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning (OJ C 111, 6.5.2008, p. 1).";

(b) point 1.2 is replaced by the following:

"1.2. Objective: to know the technical characteristics and operation of the safety controls in order to control the vehicle, minimise wear and tear and prevent disfunctioning:

limits to the use of brakes and retarder, combined use of brakes and retarder, making better use of speed and gear ratio, making use of vehicle inertia, using ways of slowing down and braking on downhill stretches, action in the event of failure, use of electronic and mechanical devices such as Electronic Stability Program (ESP), Advanced Emergency Braking Systems (AEBS), Anti-Lock Braking System (ABS), traction control systems (TCS) and in vehicle monitoring systems (IVMS) and other, approved for use, driver assistance or automation devices.";

(c) in point 1.3, the second paragraph is replaced by the following:

"optimisation of fuel consumption by applying know-how as regards points 1.1 and 1.2, importance of anticipating traffic flow, appropriate distance and use of the vehicles momentum, steady speed, smooth driving style and appropriate tyre pressure.";

- (d) the following point 1.3a is inserted before the heading 'Licences C, C+E, C1, C1+E':

"1.3a. Objective: ability to anticipate, assess and adapt to risks in traffic:

to be aware of and adapt to different road, traffic and weather conditions, anticipate forthcoming events, adapt to the risks of traffic and recognise and adapt to dangerous situations, in particular related to size and weight of the vehicles and vulnerable road users, such as pedestrians, cyclists and powered two wheelers;

identify possible hazardous situations and properly interpret how these potentially hazardous situations may turn into situations where crashes can no longer be averted and selecting and implementing actions that increase the safety margins to such an extent that a crash can still be averted in case the potential hazards should occur.";

- (e) point 1.4 is replaced by the following:

"1.4. Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox ratios according to vehicle load and road profile, use of automatic transmission systems, calculation of payload of vehicle or assembly, calculation of total volume, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity, types of packaging and pallets;

main categories of goods needing securing, clamping and securing techniques, use of securing straps, checking of securing devices, use of handling equipment, placing and removal of tarpaulins.";

- (f) point 1.6 is replaced by the following:

"1.6. Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox-ratios according to vehicle load and road profile, use of automatic transmission systems, calculation of payload of vehicle or assembly, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity.";

- (g) in point 2.1, the second paragraph is replaced by the following:

"maximum working periods specific to the transport industry; principles, application and consequences of Regulations (EC) No 561/2006(*) and (EU) No 165/2014(**) of the European Parliament and of the Council; penalties for failure to use, improper use of and tampering with the tachograph; knowledge of the social environment of road transport: rights and duties of drivers as regards initial qualification and periodic training.

(*) Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1).

(**) Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1).";

(h) in point 3.7, the second paragraph is replaced by the following:

"road transport in relation to other modes of transport (competition, shippers), different road transport activities (transport for hire or reward, own account, auxiliary transport activities), organisation of the main types of transport company and auxiliary transport activities, different transport specialisations (road tanker, controlled temperature, dangerous goods, animal transport, etc.), changes in the industry (diversification of services provided, rail-road, subcontracting, etc.).";

(i) in point 3.8, the second paragraph is replaced by the following:

"carriage of passengers by road in relation to other modes of passenger transport (rail, private car), different activities involving the carriage of passengers by road, disability awareness, crossing borders (international transport), organisation of the main types of companies for the carriage of passengers by road.";

(b) Section 2 is amended as follows:

(a) point 2.1 is replaced by the following:

"2.1. Option combining both course attendance and a test

Initial qualification must include the teaching of all subjects in the list under section 1. The duration of this initial qualification must be 280 hours.

Each trainee driver must drive for at least 20 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles as set out in Directive 2006/126/EC.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each driver may drive for a maximum of eight hours of the 20 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

Member States may allow the training partly to be done by means of information and communication technology tools, such as e-learning, while ensuring the proper quality of the training, and may count specific training required under other Union legislation as part of the training. This includes, but is not restricted to, training required under Directive 2008/68/EC of the European Parliament and of the Council(*) for driving of dangerous goods, training on disability awareness under Regulation (EU) 181/2011 of the European Parliament and of the Council(**) and training on animal transport under Council Regulation (EC) 1/2005(***)).

For the drivers referred to in Article 5(5) the length of the initial qualification must be 70 hours, including five hours of individual driving.

At the end of that training, Member States' competent authorities or the entity designated by them shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under section 1.

(*) Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

(**) Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

(***) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).";

(b) in point 2.2(b), the second paragraph is replaced by the following:

"The vehicle used for the practical test must meet at least the requirements for test vehicles as defined in Directive 2006/126/EC.";

(c) Sections 3 and 4 are replaced by the following:

"Section 3: Accelerated initial qualification provided for in Article 3(2)

Accelerated initial qualification must include the teaching of all subjects in the list in section 1. Its duration must be 140 hours.

Each trainee must drive for at least 10 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles as set out in Directive 2006/126/EC.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each driver may drive for a maximum of four hours of the 10 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions

and the way they change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

The provisions of the fourth paragraph of point 2.1 shall also apply to the accelerated initial qualification.

For the drivers referred to in Article 5(5) the length of the accelerated initial qualification must be 35 hours, including two-and-a-half hours of individual driving.

At the end of that training, Member States' competent authorities or the entity designated by them shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under section 1.

Section 4: Compulsory periodic training provided for in point (b) of Article 3(1)

Compulsory periodic training courses must be organised by an approved training centre. Their duration must be of 35 hours every five years, given in periods of at least seven hours. Such periodic training may be provided, in part, on top-of-the-range simulators and by use of information and communication technology tools such as e-learning, while ensuring the quality of the training. At least one of the seven hour periods shall cover a road safety related subject. The content of the training shall take into account training needs specific to the transport operations carried out by the driver and relevant legal and technological developments. The seven hour periods shall cover different subjects.

Completed specific training as required under other Union legislation may count as one of the seven hour periods. This includes, but is not restricted to, training required under Directive 2008/68/EC for driving of dangerous goods, training on animal transport under Regulation (EC) 1/2005, and for the carriage of passengers training on disability awareness under Regulation (EU) 181/2011.";

(2) Annex II is amended as follows:

(a) the title is replaced by the following:

"ARRANGEMENTS FOR THE EUROPEAN UNION MODEL FOR A DRIVER QUALIFICATION CARD";

(b) Section 2 concerning side 1 of the driver qualification card is amended as follows:

(a) in point (d), point (9) is replaced by the following:

"9. the categories of vehicles for which the driver satisfies the initial qualification and periodic training requirements;"

(b) in point (e), the first paragraph is replaced by the following:

"the title 'European Union model' in the language or languages of the Member State issuing the card and the heading 'driver qualification card' in the other official languages of the Union, printed in blue so as to form the background to the card:"

(c) in point (a) of Section 2 concerning side 2 of the driver qualification card, points (9) and (10) are replaced by the following:

"9. the categories of vehicles for which the driver satisfies the initial qualification and periodic training requirements;

10. the harmonised European Union code 95 provided for in Annex I to Directive 2006/126/EC".