



Driver & Vehicle
Licensing
Agency



Amendments to UK law to ensure compliance with Driving Licence Directive 2006/126/EC



INVESTORS
IN PEOPLE

Consultation on amendments to UK law to ensure compliance with the third European Commission (EC) Driving Licence Directive 2006/126/EC

Background

The Third Driving Licence Directive introduced a number of obligations on all European Union (EU) member states.

Proposal

The Directive requires all EU member states and European Economic Area (EEA) countries to ensure that national law prohibits anyone from holding more than one driving licence at any given time. In particular, the Directive prohibits drivers from holding more than one EU/EEA driving licence. In the UK it is not possible to apply for a licence if you already hold another licence, however, it is not currently an offence to hold more than one licence more generally.

To comply with the Directive, we need to change the law to prohibit the holding of more than one EU/EEA driving licence. Any breach of this new provision will be an offence under the general offence of breaching regulations, as set out in section 91 of the Road Traffic Offenders Act 1988 (in GB) and Article 92 of the Road Traffic Offenders (Northern Ireland) Order 1996 (in Northern Ireland), which include provision for a fine of up to £1,000. Driver licensing is a devolved issue in Northern Ireland so changes will be made to both Great Britain and Northern Ireland legislation to introduce the new offence.

We believe that this change will enhance road safety standards by removing the risk of individuals holding more than one licence, for example, to prevent them from spreading penalty points received for traffic offences between licences. The proposed change will amend an existing offence in UK law, but we anticipate volumes of offenders will be very low.

Impact Assessment

As this is classed as a “trivial/mechanical” measure, neither an Impact Assessment nor a Regulatory Triage Assessment is required. The change has been identified as having no cost to businesses.

Your Views

Although we must change the law to ensure that we comply with the requirements of the Directive, we would like to hear from individuals or groups interested in the proposed change.

Questions

1. Do you agree with the proposed change? If not, it would be useful if you could outline the reasons why.

2. Can you identify any issues arising from the proposed change for business and/or road safety?

How to respond

The response form is attached at **Annex A**. If you are interested in these proposed changes, please consider the questions above. When responding, it would be helpful if you could state whether you are responding as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make clear who the organisation represents and where applicable, how the views of members were collated.

The consultation will run from 9 January 2015 to 13 February 2015. Any responses received after this date will be considered only in exceptional circumstances.

You can respond in the following ways:

- Online using the response form at the following link:
<https://www.surveymonkey.com/s/DG2SSKQ>
- By post to: Drivers Policy, Strategy, Policy and Communications Directorate, D16, Driver and Vehicle Licensing Agency, Swansea, SA6 7JL
- Email to: policyconsultation@dvla.gsi.gov.uk

Please get in touch by email or by post if you would like a copy of the consultation in an alternative format, or if you have any questions.

DVLA reply

We do not intend to acknowledge receipt of individual responses unless you indicate that you would like such an acknowledgement. We are unable to reply individually to the points you may raise as part of your reply.

A summary of responses will be published within three months of the consultation closing on www.dft.gov.uk/consultations. We will notify those who responded to the consultation when this happens.

Confidentiality of responses

We may publish all or some of the comments received as part of this consultation. If we receive a request from any third party for sight of such comments, we may be obliged by law (for example under the Freedom of Information Act 2000) to disclose such information. If there are particular reasons why you would not wish your comments to be disclosed or published, please say so. Although your wishes may not override any statutory obligations to disclose, they will be taken into account as far as possible. If you reply by email, the statements made above override any confidentiality disclaimer generated by your IT system.

The Consultation Principles

This consultation complies with the Consultation Principles published by the Cabinet Office on 17 July 2012. This replaced the Code of Practice on Consultations.

<http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

A summary of the Consultation Principles, which can be viewed in full at the above link, is as follows:

- Engagement should begin early in policy development.
- The evidence base for the proposed policy should be made available at an early stage.
- The timeframe for consultation should be proportionate and realistic to allow stakeholders sufficient time for a considered response.
- The amount of time required will depend on the nature and impact of the proposal and may typically vary between two and 12 weeks.
- Information should be presented in an accessible and useful form to stakeholders with a substantial interest in the subject matter.
- The choice of the form of the consultation will depend on the issues under consideration and the available time and resources.
- Information provided should be easy to comprehend, use plain language and clarify the key issues.
- Consideration should be given to more informal ways of engaging that may be appropriate.
- The objectives of the consultation process should be clear.

If you consider that this consultation does not comply with the consultation principles or you have comments about the consultation process please contact: Hayley Bowen, Consultation Co-ordinator, Strategy, Policy and Communications Directorate, D16, Driver and Vehicle Licensing Agency, Swansea, SA6 7JL.

ANNEX A: Reply Form

Amendments to UK law to ensure compliance with the third European Commission (EC) Driving Licence Directive 2006/126/EC

Your Personal Details:

Name:

Organisation you represent:

Postal address:

Telephone number:

Fax number:

E-mail address:

Questions

1. Do you agree with the proposed change? If not, it would be useful if you could outline the reasons why.

.....
.....
.....
.....

2. Can you identify any issues arising from the proposed change for business and/or road safety?

.....
.....
.....
.....

How to respond:

- Online at <https://www.surveymonkey.com/s/DG2SSKQ>
- By post to Drivers Policy, Strategy & Policy Directorate, D16, Driver and Vehicle Licensing Agency, SWANSEA, SA6 7JL
- By e-mail to policyconsultation@dvla.gsi.gov.uk

The closing date for responses is 13 February 2015.