



Discussion Paper

Stakeholder Conference

Review of Directive 2003/59/EC

Brussels, 6 March 2014

1. Introduction

On 6 March 2014 the European Commission will hold a Stakeholder Conference as part of the review of Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers. The main objectives of the conference, which is open to all interested stakeholders, are to report on the findings of the public consultation and to validate its results, to present the results of the ex-post evaluation of the Directive and to discuss policy measures for the review of the Directive. This paper serves as an input for the discussions at the Conference.

Background

Directive 2003/59/EC sets initial qualification and periodic training requirements for certain drivers engaged in the transport of goods or passengers. The Directive requires drivers to prove their initial qualification either through an option based on training and a theoretical test or a theoretical and practical test, without any mandatory training beforehand. Periodic training of 35 hours each 5 years is compulsory to refresh and update the qualification of the drivers. The qualification is attested by a Certificate of Professional Competence (CPC). Knowledge requirements are defined in the annexes of the Directive in terms of topics to be covered during the training.

Between July and October 2013 the European Commission held a public consultation on the Directive to assess its effectiveness, and to allow identifying measures that may be needed in order to improve the Directive's mechanisms. The public consultation elicited in 395 responses.¹ The stakeholder conference is a follow-up to this public consultation. All answers to the public consultation have been taken into account and analysed. The stakeholder conference is intended to validate this analysis and integrate it, especially on the options for the way forward.

¹ European Commission, 'Public Consultations: Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers' (2013), available at: http://ec.europa.eu/transport/media/consultations/2013-professional-drivers-training_en.htm

Structure of the Stakeholder Conference

The Conference will have four thematic sessions and an introductory session.

In the introductory session the findings of the public consultation and the results of the *ex-post* evaluation of the current Directive will be presented.

The four thematic sessions will address the following aspects:

- (1) Relevance and scope of the Directive;
- (2) Minimum age;
- (3) Structure of the training;
- (4) Quality assurance and mutual recognition of the training.

In each of these sessions a speaker will introduce the session's topic, the problems identified and the possible policy measures. Subsequently, the stakeholders participating in the Conference will be given the opportunity to express their views and comment on the various options. The speakers have been selected on the basis of their expertise. Their role is to introduce the issue, functioning as a facilitator for the discussion. The objective is to listen to the position of all stakeholders. The opinions the speakers express do not represent the official position of the European Commission.

2. Thematic Sessions of the Conference

2.1. Session I: Relevance and scope of the Directive

As first aspect, it is appropriate to hear stakeholders' views on the overall relevance of the Directive. Relevance refers to the importance of regulating the initial qualification and periodic training of drivers at European level to increase road safety, to ensure a level playing field and to guarantee the free movement of workers in the transport sector.

The Directive applies to drivers holding a C or a D driving licence engaged in the transport of goods or passengers. A series of exemptions are stipulated envisaging essentially to exempt non-professional drivers from the requirements of the Directive.

As part of the review process the question arises if there is value in broadening the scope of the Directive to all holders of C or D driving licences or to include also certain professional drivers holding other types of driving licences. The inclusion of other professional drivers could mean for instance the inclusion of taxi drivers or drivers of vans of up to 3.5 tonnes. The definition of the scope of the Directive needs to balance the concerns for road safety and

EU value added with the necessity not to impose an unnecessary burden on certain drivers especially in light of the principle of subsidiarity².

Moreover, the question also arises whether it would be useful to align the scope and the exemptions with Regulation 561/2006/EC on the harmonisation of certain social legislation relating to road transport, while taking into account the different objectives of the two legislative documents.

Questions as input for the discussion:

- 1. Do you consider a Directive at European level on the qualification and training of drivers as relevant?*
- 2. Do you consider that the scope of the Directive needs to be extended bearing in mind both safety concerns and the burden that this may impose on drivers as well as the principle of subsidiarity?*
- 3. Do you think that aligning the scope of application and the exemptions of Directive 2003/59/EC with those of Regulation 561/2006 would bring more clarity? If yes, how far shall the alignment go? What are possible drawbacks?*

2.2. Session II: Minimum age

The main issue here is to determine at what age young people shall be allowed to drive professionally taking into account both the demands of the industry facing a shortage of young drivers and the concerns regarding road safety.

Three possible approaches can initially be identified:

- 1) Setting the same minimum age requirements for professional and for non-professional drivers and to use the minimum age requirements indicated in Directive 2006/126/EC on driving licences.
- 2) As professional drivers have to undergo additional testing, which goes beyond the normal driving licence testing to obtain the initial CPC, it might be considered that they can drive at an earlier age than drivers, who have not undergone the CPC qualification.
- 3) A system of gradual access to professional driving requiring the various categories of C and D driving licences could be an option. It would regulate the access of young drivers in such a way that access to more challenging categories of heavy vehicles would be granted only after sufficient experience has been gained in lower categories.

² http://europa.eu/legislation_summaries/institutional_affairs/treaties/lisbon_treaty/ai0017_en.htm

Questions as input for the discussion:

- 1. Would young people driving trucks or buses represent an increased road safety risk or can this be overcome through additional training and qualification requirements?*
- 2. Are the high minimum age requirements in the driving licence directive functioning as deterrent for young people to join the profession?*
- 3. If lower minimum age requirements for professional drivers are adopted are those minimum age requirements currently set in Directive 2003/59/EC adequate or should they be changed?*
- 4. Would a gradual access system help addressing the shortage of drivers or would it complicate matters as there is a demand for drivers of heavy vehicles in particular?*

2.3. Session III: Structure of the training

This session is closely linked with the fourth session on quality assurance and mutual recognition. The main focus of this session is how the training shall be organised to be meaningful and best contribute to the objectives of the Directive. In the current Directive the main focus is on indicating the subjects to be covered and on setting the minimum hours of training.

It is important that the revised Directive indicates a structure of the training that is both sufficiently flexible to be adaptable to the needs of Member States and also of undertakings and single drivers, while at the same time sufficiently uniform and reliable to create a sufficient level of trust between Member States to allow for mutual recognition, which will be discussed in section IV. Uniformity is also important to ensure a level playing field for drivers and undertakings.

The training could be organised in modules structured around specific topics (e.g. a module dedicated to driving on dangerous terrain). A common modular structure might help the mutual recognition of training courses and their transferability between Member States. A certain amount of common modules could be introduced to guarantee uniformity, while drivers and undertakings could be left the freedom to choose the additional modules.

It could also be explored if it might be useful to link the modules to a credit system like the European Credit system for Vocational Education and Training (ECVET)³ or if this would represent an unnecessary complication. The revised Directive could shift the focus from the

³ http://ec.europa.eu/education/policy/vocational-policy/ecvet_en.htm

hours of training required to what a driver needs to learn during the training, so-called learning outcomes.

Questions as input for the discussion:

1. *Do you think that there is a need to re-organise the current CPC- training structure?*
2. *Shall the Directive indicate the number of hours of training or shall the focus be on learning outcomes?*
3. *Would a modular structure be useful or could it instead be excessively complicated and burdensome?*
4. *Would the introduction of a credit system be helpful or would it represent burdensome structure without much practical value?*
5. *Would it be useful to differentiate between mandatory and optional training courses?*

2.4. Session IV: Quality assurance and mutual recognition of the training

Mutual recognition is fundamental to ensure free movement of workers and also the viability of the Directive. There are several aspects which are related to mutual recognition. The first one is trust in the existence of a homogenous level of quality of the training in the EU.

Quality assurance could take different forms. What a driver needs to learn through the training could be set in the form of common standards. These standards could either be elaborated in detail in the revised Directive or its elaboration could be mandated to an external entity such as the European Committee for Standardisation (CEN)⁴. These standards could either regulate the structure or be "goal-based standards" regulating the objectives. In the same way quality standards could be conceived not only for the training itself but also for the training centres.

An alternative option could be to rely on a voluntary system such as the European Quality Assurance Reference Framework for Vocational Education and Training (EQAVET)⁵.

A second element is related more to the practical implementation of mutual recognition: what means and what information are needed to make mutual recognition work in practice. Mutual recognition has so far been guaranteed by the marking of code 95 either on the driving licence or on a separate driver qualification card. The CPC itself is today not a mutually recognised document. Problems have emerged with the marking of the code 95 on foreign driving licences.

⁴ <https://www.cen.eu/cen/pages/default.aspx>

⁵ http://ec.europa.eu/education/policy/vocational-policy/eqavet_en.htm

Different practical solutions could be adopted. On the basis of a mutual recognition of the CPC it could be stipulated that drivers can go back to their home country and have the code 95 marked on the basis of a CPC obtained abroad. Alternatively, all Member States, also those which currently mark the code 95 in the driving licences could be required to issue a separate driver qualification card to holders of foreign driving licences, who obtained a CPC in their country. A third option could be exploring the feasibility of issuing digitally a CPC instead of the paper version.

No mechanism for the recognition of periodic training partially undergone in another Member State is currently foreseen (e.g. a driver undergoes 14 hours of periodic training in Member State A and then moves to Member State B and would like to have these 10 hours of periodic training counted towards the 35 hours of periodic training he has to undergo every five years). It is important to understand if there is a need for developing such mechanism. Related to this there is also the question whether and to what extent there is a need to work on mechanisms to allow for a better exchange of information between Member States. This could be done via a system of exchange of information between national databases not only for partial periodic training if there is a need for it. Such a system called RESPER is currently already in place for the exchange of information between Member States on driving licences.

Questions as input for the discussion:

- 1. Do you think that setting standards for training is the right way to ensure quality or would it be too complicated and burdensome to do so? If yes, who should set the standards and what should these standards be set for, the structure or the objectives?*
- 2. Can the voluntary European Quality Assurance Reference Framework for Vocational Education and Training (EQAVET) be the most appropriate tool or would an enforceable method be needed?*
- 3. How should the fulfilment of the training and qualification requirements be marked? On the driving licence or on a separate driver qualification card? In particular for drivers working abroad who shall be responsible for marking: the host Member State where the training is done or the home Member State having issued the driving licence?*
- 4. Is a paperless CPC feasible or are there too many problems linked to it?*
- 5. Are mechanisms for the exchange of information between national databases of the Member States needed?*