

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 429 final
Brussels, 24.10.1994

Proposal for a

COUNCIL DIRECTIVE

amending Directive 91/439/EEC on driving licences 28

(presented by the Commission)

EXPLANATORY MEMORANDUM

I. Background

1. Directive 91/439/EEC¹ introduces a national driving licence based on a Community model (Article 1(1) of the Directive) and foresees that driving licences issued by Member States shall be mutually recognized (Article 1(2)). The Community model shall be pink, with specified dimensions and shall consist of six pages.
2. The model of driving licences issued in Norway, Finland and Sweden differs largely from the Community model as they consist of plastified, "identity card" type documents.

II. Enlargement of the Community

3. Norway requested a derogation from article 1(1) of Directive 91/439/EEC on grounds of a possible modification of the Community model in the forthcoming years, that could entail the introduction of an alternative Community model licence in a plastic "credit card" format.
The following provision was introduced in the Act of Accession:
«The Kingdom of Norway may continue to issue its present driving licence model in derogation from Article 1(1) until 31 December 1997. At the end of that period the Kingdom of Norway shall apply the "acquis communautaire" existing at that time regarding driving licences.»²
4. Finland introduced a similar request in the late stages of the accession negotiations. Given the tight schedule for completing the negotiations and finalising the draft Act of Accession with a view to presenting it to the European Parliament for assent, it was not possible to introduce a derogation to Directive 91/439/EEC for Finland in its provisions, but it was agreed to address the issue in the Interim Period³.
5. Sweden also indicated a similar problem. Given the similar situation prevailing in the two countries, the Commission considers that the case of Sweden should be treated similarly to the one of Finland.
6. Given the similarity of the model of driving licences issued in Norway, Finland and Sweden, the Commission is forwarding to the Council the attached proposal for a Directive amending Directive 91/439/EEC with a view to granting Finland and Sweden a similar derogation to that granted to Norway.

¹ OJ No.L 237, 24.8.1991, p.1.

² OJ No. C 241, 29.8.1994, p. 324

³ Doc. CONF 8/94 General, 12 April 1994-IV n°1.

Council Directive 94/.../E C
amending Directive 91/439/EEC on driving licences

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Norway, Austria, Finland and Sweden¹, and in particular Article 169 thereof;

Having regard to the proposal from the Commission²;

Whereas Norway was, pursuant to Article 151 and Annex XV of the Act of Accession, granted a derogation to Directive 91/439/EEC³ regarding the model of driving license;

Whereas driving licenses in Finland and Sweden, as in Norway, consist of plastified cards; whereas, pending consideration of a new Community model, Finland and Sweden should also be authorised to maintain their present driving licence model until 31 December 1997;

Whereas pursuant to the accession of Finland and Sweden, Directive 91/439/EEC should be amended so as to provide for these two countries the same derogation as Norway was granted in the Accession Act;

Whereas by virtue of Article 2(3) of the Treaty of Accession, the Institutions of the European Community may adopt, before accession, the measures pursuant to article 169 of the Act, such measures entering into force subject to, and on the date of entry into force of, the said Treaty;

¹ OJ No. C 241, 29.8.1994.

² COM (94) ...

³ OJ No. L 237, 24.8.1991, p.1.

HAS ADOPTED THIS DIRECTIVE

Article 1

In Article 1 (1) of Directive 91/439/EEC, the following phrase shall be added :

"However, Finland and Sweden may continue to issue driving licences based on their present model until 31 December 1997."

Article 2

This Directive shall enter into force subject to, and on the date of, the entry into force of the Treaty of Accession of Norway, Austria, Finland and Sweden.

This Directive is addressed to the Member States.

Done at Brussels,1994,

*For the Council
The President*

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