Commission Directive (EU) 2016/1106 of 7 July 2016 amending Directive 2006/126/EC of the European Parliament and of the Council on driving licences (Text with EEA relevance)

COMMISSION DIRECTIVE (EU) 2016/1106

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amending Directive 2006/126/EC of the European Parliament and of the Council on driving licences

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences[(1)], and in particular Article 8 thereof,

Whereas:

(1) Scientific knowledge on medical conditions which affect fitness to drive has progressed since the adoption of Directive 2006/126/EC, in particular as regards the estimation of both the risks for road safety associated with the medical conditions and the effectiveness of treatment in averting those risks.

(2) The current text of Directive 2006/126/EC no longer reflects the latest knowledge on disorders that affect the heart and the blood vessels which either pose a current or a prospective risk of a significant, sudden and disabling event, or impair an individual from safely controlling their vehicle, or lead to both consequences.

(3) The Committee on driving licences has established a Working Group on Driving and Cardiovascular Diseases with the objective to assess the road safety risks associated with cardiovascular diseases from a current medical perspective and to formulate appropriate guidelines. The report[(2)] produced by the working group demonstrates why it is necessary to update the provisions on cardiovascular diseases in Annex III to Directive 2006/126/EC. It proposes to take into account the latest medical understanding and to clearly indicate for which conditions driving should be allowed and in which situations driving licences should not be issued or renewed. Furthermore, the report includes detailed information on how the updated provisions on cardiovascular diseases should be applied by the competent national authorities.

(4) The knowledge and methods for diagnosing and treating hypoglycaemia have advanced since the last update of the provisions on diabetes in Annex III to Directive 2006/126/EC in 2009. The Diabetes Working Group, established by the Committee on driving licences, has concluded that those developments should be taken into account by updating those provisions, in particular concerning the relevance of hypoglycaemia

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occurring during sleep and duration of the driving ban following recurrent severe hypoglycaemia for group 1 drivers.

(5) To appropriately take into account individual specificities and to adapt properly to future developments in these medical fields, Member States should be provided with an option for the competent national medical authorities to allow driving in duly justified individual cases.

(6) Directive 2006/126/EC should therefore be amended accordingly.

(7) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents[3], Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments.

(8) The measures provided for in this Directive are in accordance with the opinion of the Committee on driving licences,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex III to Directive 2006/126/EC is amended in accordance with the Annex to this Directive.

Article 2

1 Member States shall adopt and publish, by 1 January 2018 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 1 January 2018.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2 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 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

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Done at Brussels, 7 July 2016.

For the Commission

The President

Jean-Claude JUNCKER