I

(Acts whose publication is obligatory)

COUNCIL DIRECTIVE 96/47/EC

of 23 July 1996

amending Directive 91/439/EEC on driving licences

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the Economic and Social Committee [2],

Acting in accordance with the procedure referred to in Article 189c of the Treaty [3],

Whereas Council Directive 91/439/EEC of 29 July 1991 on driving licences [4] provides that national driving licences shall be introduced in accordance with the Community model described in Annex I thereto;

Whereas an alternative model should be introduced to take account of existing practices and to meet the wishes of certain Member States;

Whereas, in the context of mutual recognition of licences, there is a need to ensure compatibility and interoperability of such licences throughout the Community; whereas, to that end, the introduction on an individual basis of computer technology into the Community model licence should be avoided, while nevertheless leaving space on it for the possible later introduction of a microchip or similar computer device;

Whereas the Member States should be left the possibility of entering, in a particular place, information not related to the administration of the driving licence or to road safety on the understanding that such entries are subject to the specific written agreement of the holder;

Whereas, with regard to the technical specifications of the Community model driving licence, this Directive applies the 'new approach' to technical harmonization by establishing a general framework for the specifications leaving detailed requirements to industrial standardization procedures,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 91/439/EEC is hereby amended as follows:

1. Article 1 (1) and Article 2 (3) shall be amended by adding 'or a' after 'Annex I';

2. The following paragraph shall be added to Article 2:

   '4. Without prejudice to provisions to be adopted by the Council in this regard, the model driving licences specified in Annexes I and Ia may not contain any computerized electronic devices.';

3. Annex Ia, as defined in the Annex to this Directive, shall be added.

Article 2

1. After consulting the Commission, Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 1 July 1996. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

---

(1) OJ No C 21, 25. 1. 1996, p. 4, and OJ No C 54, 23. 2. 1996, p. 5.

(2) OJ No C 301, 13. 11. 1996, p. 22, and OJ No C 204, 15. 7. 1996, p. 20.

(3) Opinion of the European Parliament of 16 November 1995 (OJ No C 323, 4. 12. 1995, p. 109), Council Common Position of 26 February 1996 (OJ No C 120, 24. 4. 1996, p. 1) and Decision of the European Parliament of 6 June 1996 (OJ No C 181, 24. 6. 1996, p. 16).

(4) OJ No L 237, 24. 8. 1991, p. 1. Directive as last amended by Directive 94/72/EC (OJ No L 337, 24. 12. 1994, p. 86).

2. Member States shall communicate to the Commission the text of the main provisions of domestic law which they adopt in the field governed by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 23 July 1996.

For the Council
The President
I. YATES