



Department  
for Transport

Third Directive

Post Implementation Review: DVLA Evidence

# **Post Implementation Review of the Transposition of the Motor Vehicles (Driving Licences) (Amendment) Regulations 2012**

## **1. Introduction**

This document is a Post Implementation Review (PIR) of the Third Directive on driving licences, as far as it impacts upon the business of the Driver and Vehicle Licensing Agency (DVLA). There is a separate evidence review for the Driver and Vehicle Standards Agency (DVSA).

The PIR outlines the policy background, the background to the PIR, the available evidence and the PIR recommendation.

## **2. Policy Background**

### **2.1 Legislative Background**

The previous UK rules on driver licensing and driving tests were based on the second European Directive on Driving Licences (Directive 91/439/EEC), adopted in 1991. This included provision for mutual recognition of driving licences between member states of the European Union (EU) and the European Economic Area (EEA), and for the harmonisation of licence categories and driving test standards.

The rules for EU driving licences were updated by the third EU Driving Licence Directive (Directive 2006/126/EC), which came into force in January 2007 and introduced a range of measures relating to driver licensing, training and testing. The Department for Transport (DfT) implemented the Directive through its Agencies, the Driver and Vehicle Standards Agency (DVSA) and the Driver and Vehicle Licensing Agency (DVLA). This document focuses on the changes that were implemented by the DVLA.

The third Directive was largely a recast document and many of its provisions simply carried forward those in the second Directive. This meant that the majority of the requirements of the third Directive were already in place in the UK. The required changes were transposed into domestic legislation, on schedule (19/1/2013), by the Motor Vehicles (Driving Licences) (Amendment) Regulations 2012. Driving entitlements obtained prior to this date remained valid, but other changes, in particular those relating to licence validity periods and mandatory medical assessments, did apply to existing licence holders who required a replacement licence after 19 January 2013.

Where the Directive offered no scope for choice, the requirements were implemented as mandated by the Directive. However, where there were options for implementation, 'gold plating' was avoided wherever possible - to optimise the road safety benefits whilst minimising unnecessary burden and costs.

This review looks at the extent to which the legislation is achieving its objectives. Where possible, it considers the actual impacts and costs against those anticipated in the original Impact Assessments. The review also looks at whether there have been any unintended consequences.

## **2.2 Changes Brought about by the Regulations**

DVLA was responsible for the following aspects of the Directive:

- Revised administrative validity of driving licences
- Driving licence card security and format
- Minimising the risk of drivers holding more than one licence
- Changes to category definitions

The subsequent regulations made the following changes to the law (which impacted on DVLA operations):

- New rules for the administrative validity period (AVP) of a licence;
- The requirement for Group 2 drivers to confirm medical fitness to drive on the renewal of a Group 2 (bus or lorry) licence:
- steps to ensure that a driver disqualified in another Member State could not be granted a licence in GB;
- changes to vehicle category definitions: and
- a slight amendment to the legislation which provides for the surrender of old style paper licences by 2033.

**Figure 1: Changes resulting from the 2012 Regulations**

<b>Area of Amendment</b>	<b>Before the Regulations</b>	<b>After the Regulations</b>
Duration of licences	Periodic 10 yearly photograph renewal	Introduction of Administrative Validity Periods. <ul style="list-style-type: none"> <li>• 10 years for Group1</li> <li>• 5 years for Group 2</li> <li>• Aligned administrative validity and entitlement expiry periods where, because of age or medical fitness, the remainder of the entitlement expiry is less than 10 years</li> </ul>
Medical fitness	On renewal of a photograph an applicant was not required to prove fitness to drive	On renewal of the Administrative Validity Period an applicant may be required to prove fitness to drive.
Paper licence recall	At paper licence recall an applicant was not required to prove fitness to drive	At paper licence recall an applicant may be required to prove fitness to drive.
Disqualification in other Member States	Uncertainty about applying driving disqualifications in other EEA countries to a driver in the UK.	DVLA must not grant a licence to a driver currently disqualified elsewhere within the EEA
Category Definitions	The length of a minibus was not defined in legislation. The category definitions prior to the third Directive referred to seats.	Minibus limited to 8 metres in length. Category definitions after the Directive referred to 'passenger' seats

### **2.2.1 Legislative changes made after 19.1.2013**

Since implementation of the Directive on 19 January 2013, there have been a number of further amendments to the driving licence regulations to ensure that GB was fully compliant with the third Directive requirements. These are listed in **Error! Reference source not found..**

### **3. Post-Implementation Review Background**

#### **3.1 The PIR Requirement**

As stated in section 2.1, the requirements for a review were set out in The Motor Vehicles (Driving Licences) Amendment Regulations 2012, Regulation 5. This Statutory Instrument included a clause mandating that the driver Regulations were reviewed by 2018.

#### **3.2 Proportionality Assessment for the PIR**

The review has been conducted on the basis of a low level of evidence. The Directive was a recast document and many of its provisions were already in place in GB. Also, in assessing a proportionate level of evidence the Agency has considered the level of analysis in the original Impact Assessments (IAs). One of the biggest changes to the driving licence regime was the introduction of a 5-yearly Group 2 licence. However, the first renewal applications for these licences will not be made until January 2018. This was reflected in the IA, which estimated the likely costs to business from 2018 to 2023.

The PIR guidance suggests that a light touch, low resource PIR is proportionate in these circumstances. The evidence sought aims to determine whether the new rules have met their objectives and considers how implementation of the Directive could have been improved. The Agency has looked for a mixture of qualitative and quantitative evidence to test these judgements.

#### **3.3 PIR Approach**

A small team from the DVLA Strategy, Policy and Communications Directorate was allocated to conduct the review with some occasional support from the Agency's Business Support Teams and its Customer Insight Unit.

DVLA conducts ongoing stakeholder engagement with organisations representing enforcement bodies, road safety lobbyists and industry groups. Despite the low impact approach chosen for the review, the Agency has also sought the views of stakeholders to understand the effect of the legislation, and to check for any unexpected outcomes.

The DVLA's in-house research team issued an on-line survey and invited key stakeholders, such as motoring organisations and road freight associations, to participate. Stakeholders were also encouraged to inform other organisations likely to have an interest. The research questions can be found in *Annex B*.

Responses to the survey were broadly positive and there was little suggestion for improvement. However, the number of responses was disappointingly low (30). DVLA

subsequently wrote to organisations that had actually produced guidance on the Directive and asked them to comment, but there were no responses to this approach. This *may* suggest that stakeholders are broadly content with the issues in question.

This possibility is borne out by an analysis of information held by the DVLA's Information Management Group, that measures the Agency's performance against business and Secretary of State targets, relating to renewals of the 5-yearly Group 2 licences although this will not become a matter of potential discontent until the first renewal applications are due in January 2018.

The review team has also consulted DVLA staff, such as those in the Customer Complaints team and the Customer Enquiries Group that deals with call centre enquiries on a day-to-day basis. Whilst there was an indication of some concern with the new systems requirements to implement the changes, there was no evidence of dissatisfaction with the legislation itself.

Views were sought from other Member States. There were responses from Croatia, Czech Republic, Finland, France, Germany, Ireland, Netherlands, and Sweden, but none of them did anything more than indicate that there had been no review ahead of a formal consideration of the Directive by the Commission, which is due in 2018.

#### **4. Evidence Base**

##### **4.1 Policy Objectives and Intended Effects**

The Directive was designed to improve road safety standards and to facilitate the free movement of people across the EU by further harmonising driving licence rules, and the driver testing and training standards in Member States. The Directive was transposed into domestic law to ensure that the UK could meet its obligations and participate in this process.

The following paragraphs set out the rules and processes that were in place prior to the Directive. They also detail the options that were available for implementation, the decisions that were made during transposition of the Directive and the rules and processes that are now in place.

##### **Driving Licences – Administrative Validity Periods (AVPs)**

Photocard driving licences were first issued in GB in 1998 and were 'valid' for up to 10 years, when they must be renewed with a new photograph. Frequent renewal of the driving licence card is designed to require drivers to be able to demonstrate a reasonably current likeness to assist enforcement checks and it also offers the opportunity for the licensing authorities to issue a photocard with the most up-to-date security features. The lifespan of the card is termed 'Administrative validity' which

reflects the fact that, whilst there is a legislative obligation to renew the licence, a GB licence holder does not lose the right to drive by failing to do so.

### **Drivers of small vehicles - mopeds, motorcycles, tricycles, quadricycles, cars and light vans (Group 1)**

Group 1 driving licences are issued every 10 years until the driver reaches age 70 and renews their entitlement. After 70, drivers must renew their licences every three years. Drivers declare that they are medically fit to drive when they apply for a provisional licence, and they must notify the DVLA of any subsequent condition that could affect their ability to drive safely. Drivers can be prosecuted if they make a false declaration on the application form or fail to notify a relevant medical condition.

#### System in place before implementation of the Directive

Prior to the third Directive, the administrative validity of the GB photocard licence was linked to the lifespan of the photograph provided. So, licences were potentially valid for up to 10 years. If a licence needs to be replaced at any time during that period, the replacement was valid for the remainder of the initial 10 years, without the need for the photograph to be renewed.

Using the same photograph wherever possible facilitated the use of a range of on-line and automated procedures, such as the Automatic Driving Licence Issue (ADLI) system (DVSA notifies the DVLA of a test pass and a full licence is issued automatically) and telephone/on-line applications.

#### Options for implementation

To provide consistency amongst Member States, the third Directive requires all full photocard licences to have an administrative validity of at least 10 years. Licences issued within that 10-year timeframe have to be valid for at least a further 10 years, not just to the end of the original period. As well as this mandatory minimum, the Directive also offered the option of issuing licences with a validity period of up to 15 years.

The Directive included other options - to issue short period licences to apply medical checks or other measures, for novice drivers and older drivers (aged over 50), and a potential requirement for all drivers to undergo medical examinations at each licence renewal.

#### Decisions made during transposition of the Directive

A 15 year validity period was discounted. After a public consultation, it was decided that the existing 10-year validity period struck a reasonable balance between the need to ensure that a photograph continues to be an accurate likeness of the driver and the inconvenience of having to make more regular renewals. It also mirrored British

passport arrangements. Maintaining the status quo minimised the impact on motorists and on DVLA's IT systems and processes.

The option of issuing short period licences to novice and older drivers was also discounted. New road safety measures had already been introduced for novice drivers in the Road Traffic (New Drivers) Act 1995. Drivers who offend within the first two years of passing their test have their licences automatically revoked if they incur six or more penalty points within two years of passing their first driving test. They have to reapply for their provisional licence and re-sit the driving test. It was also decided to continue the practice of issuing short period licences after age 70 and for medical purposes, as allowed by the Directive. There was no evidence that road safety would benefit by introducing an automatic review of drivers at 50 years of age.

Furthermore, there was no evidence to support a requirement for all drivers to undergo a medical examination every 10 years - a measure that would have burdened drivers with the significant cost of GP examinations, with no evidence that it would improve road safety outcomes.

#### Rules and processes that are now in place

The Directive's requirement for the minimum 10-year administrative validity for all photocard driving licences meant that the Agency could not continue with the existing practice of issuing a driving licence for the remainder of the lifespan of the photograph. Consideration was given to whether the most obvious way to align the Directive rules for 10-year administrative validity of photocards with existing security strategies and with national legislation for photograph validity would be to require a new photograph with every transaction. However, it was felt that this would be an unnecessary burden for licence holders and the DVLA, and would discourage use of the DVLA's telephone and electronic application channels.

Therefore, to lessen the impacts for some applications, the DVLA chose to re-use the photograph already held on the database provided the driver could confirm it was still a current likeness. This allowed the DVSA to continue using the electronic notification system when a driver passed a driving test and also made it possible for the DVLA to continue using electronic application channels.

The information shown in fields 4a and 4b on the driving licence card no longer relates to the lifespan of the photograph but instead refers to the validity period of the actual photocard driving licence.

#### **Drivers of large vehicles - medium and large buses and lorries - (Group 2)**

Licensing requirements for 'professional' drivers are more stringent than for drivers of small vehicles, reflecting the size of the vehicles involved and amount of time they spend behind the wheel. They have to submit a medical report with their provisional



licence application, completed by a qualified medical practitioner, to confirm that they meet the required health standards. Group 2 drivers can only drive until the age of 45 before they have to renew their entitlement and produce another medical report. This process is repeated every 5 years after that until the age of 65, and then annually.

### System in place before implementation of the Directive

Prior to the Directive, the validity of the driving licence was also linked to the lifespan of the photograph on the photocard.

The rules for Group 2 drivers were similar to those for Group 1 drivers. A first provisional (learner) licence had a 10 year validity linked to the photograph submitted with the application. The issue and expiry dates of the photograph were shown on the face of the driving licence card.

On passing a Group 2 driving test, a full licence would be issued for the remainder of the 10-year lifespan of the photograph. Any subsequent driving licences issued during the 10-year lifetime of the card, e.g. because the person had moved address, would also be issued for the remainder of the original ten years. On expiry of the 10-year period, the driver would be invited to make an application submitting a new photograph and the cycle would begin again. Like Group 1 licences, this arrangement facilitated the use of the ADLI system and telephone and on-line applications.

There was an additional requirement for a driver to renew their driving licence entitlement at age 45, and every 5 years after that until age 65, then annually. Each renewal application was supported by an up-to-date medical report.

Drivers were subject to the same rules as Group 1 drivers with regards to renewing the photograph on their driving licence and the ongoing requirement to notify the DVLA of a medical condition. Drivers with certain medical conditions could be issued licences for shorter periods (1 to 10 years) so that the condition could be kept under review by qualified medical advisers.

Like other drivers, the photograph validity dates were shown on the face of the card, with driving entitlement validity dates shown on the reverse.

### Options for implementation

The third Directive required that all Group 2 driving licences must have an administrative validity of 5 years, from the date Group 2 entitlement is obtained. Administrative renewal of the photocard licence is subject to the driver's continuing compliance with the minimum medical standards.

Unlike the rules for Group 1 licences, replacement photocard licences issued within the 5-year timeframe would retain the same expiry date as the original. This was to ensure that compliance with medical standards is checked every 5 years.

The Directive allowed for short period licences to apply medical checks or other measures, for novice drivers to aid road safety and to drivers aged over 50 to apply certain measures.

### Decisions made during transposition of the Directive

The issue of 5 year licences was a mandatory requirement. However, there was an option as to how drivers could confirm that they continued to meet the medical requirements. As there was no evidence to suggest that requiring Group 2 drivers under the age of 45 to provide full medical reports would improve road safety standards, it was decided that they could self-declare their compliance with the required medical standards on the application form. Making a false declaration or failing to notify a relevant medical condition continued to be offences liable for prosecution.

The option of issuing short period licences to novice drivers or those over the age of 50 was discounted. GB already has road safety measures to cater for these drivers. There are 5-yearly medical reports after the age of 45 and annual checks after 65. The Certificate of Professional Competence (CPC) Directive (Directive 2003/59/EC) requires that Group 2 drivers undertake specific training when they obtain the licence and every 5 years thereafter, if they wish to drive professionally. There is also a conduct regime, which requires Group 2 drivers to declare driving convictions, including non-endorsable driving offences.

### Rules and processes that are now in place

The 5 year validity period applied to all new drivers obtaining their first substantive Group 2 licence after 19 January 2013. For drivers who held a Group 2 licence prior to that, the 5-year validity was designed to start either when the previous 10 year cycle came to an end; when they claimed a subsequent lorry or bus test pass; or after any transaction for those who were already on 5 year entitlement.

As there was no requirement for Group 2 drivers to renew their photograph more frequently than other drivers the existing rule of renewing the photograph every 10 years was maintained. To simplify the process for drivers and to reduce costs, the DVLA implemented a system to align the licence and photograph renewal dates when drivers obtain their first 5-year licence.

### Impact Assessments

The AVP proposals were the only areas where implementation of the Directive was formally assessed, as there was a potential impact on business. The proposals for Group 1 and Group 2 drivers were assessed separately.

### Group 1 licences

The IA for Group 1 licences discussed how the DVLA could change some of its systems and processes so that telephone and on-line transactions could still be offered to customers thus ensuring applicants would be unaffected by the new requirements.

It was estimated that there would be a one-off transitional cost for the DVLA to change IT systems (£1.5m) and to replace and update forms and stationery (£100,000). The Agency's staff costs were also estimated to rise by up to £663,000 (31.2 FTEs) in 2012/13, falling steadily to £400,000 (18.8 FTEs) in 2017/2018 and to £300,000 (14 FTEs) in 2021/22. There were some minor benefits relating to the slightly reduced requirement for drivers to have to provide replacement photographs over the course of their driving career (£110,000 pa).

There has not been any analysis of the transitional costs. However the staff costs used in the IA were based on a DVLA business case that was delivered as part of the third Directive project. A review of the project has shown that the actual staff costs required to deal with the extra casework and customer enquiries was 30% lower than had been anticipated.

### Group 2 licences

It was estimated that there would be one-off transitional costs for the DVLA to change IT systems (£1.25m) and to replace stationery (£100,000). The Agency's costs were estimated to rise by £2m to deal with extra casework. This would be funded through extra fees for drivers if the costs could not be absorbed by DVLA efficiency savings. The IA compared the costs of self declaration against the option of introducing formal medical checks, which would have cost drivers and businesses up to £7.3m per annum. No benefits were identified in the IA.

There has not been any analysis of one-off transitional costs. At this stage it is not possible to assess the actual costs of dealing with the 5-yearly renewals, as these will not start becoming due for renewal until 2018.

### **Driving licence security features**

The first EU Directive on Driving Licences introduced the concept of a standard EU driving licence, to underpin the mutual recognition of national licences. The second EU Directive took this further by harmonising the categories of driving licences among Member States and establishing driving licence models, to cater both for paper and plastic card licences.

### System in place before implementation of the Directive

The DVLA began issuing photocard driving licences to comply with the second Directive requirements in 1998. The licences were valid for ten years and there were strict identity

requirements before they could be issued. In 2007, the DVLA added more security features to the photocard.

#### Options for implementation

When the third Directive was published, there were over 100 licence models in circulation across the EU (then at 25 Member States), which made it difficult for the police and other enforcement authorities to be sure that licences were valid. The third Directive specified that all driving licences issued after 19 January 2013 should be in the form of a photocard that incorporated specified security features.

The Directive also included an option for Member States to place a microchip on the driving licence once the technical specifications had been agreed and published.

#### Decisions made during transposition of the Directive into UK law

The DVLA has already ensured that the required security features were incorporated into the new photocard licence.

DfT decided not to incorporate a microchip into the driving licence. There was a consultation on a trial inclusion of a microchip on the Welsh bilingual provisional driving licence - the small number of licences in this category would have facilitated 'proof of concept' work to assess wider feasibility. However, as a result of the concerns raised at this stage, and because of the Agency's need to prioritise its programme development at that time, the proposal was not taken forward.

#### Rules and processes that are now in place

As the DVLA had anticipated the requirements of the third Directive when introducing the photocard, the only changes to the GB licence since implementation of the third Directive has been to include the United Kingdom flag (the Union flag) and the abolition of the paper counterpart to the driving licence in June 2015.

#### **Minimising the risk of more than one licence being in force for the same driver**

The Directive requires that drivers should not hold driving licences from more than one Member State. This helps to ensure that a driver disqualified in one country cannot continue to drive on the basis of a second, seemingly valid licence, issued elsewhere.

#### System in place before implementation of the Directive

The DVLA already had processes to combat so-called licence 'tourism'. If the DVLA suspected that an applicant held a licence issued by another Member State it could check with the relevant licensing authority before issuing a GB licence.

Also, if a driver applied to exchange an existing EU licence the DVLA could check its validity via the European Car and Driving Licence Information System (EUCARIS). Several EU Member States were not linked to the EUCARIS system and licences from

those countries would be checked manually. The original licences were returned to the country of issue.

#### Rules and processes that are now in place.

The third Directive introduced a new requirement that a licence could not be exchanged if the holder was disqualified in the country of issue. This mandatory requirement became effective in January 2009 – ahead of other Directive provisions. In GB this was achieved by supplementing existing practices with a declaration on the application form. This was later supported by RESPER, an EU driving licence network that facilitates electronic checks before a licence can be issued. The DVLA joined the RESPER network in January 2015.

#### **Category Changes**

There were changes to category definitions shown on driving licences for drivers of trucks and buses. These changes were minor and technical.

The previous definitions referred to the number of seats a vehicle had and this was amended to refer to the number of passenger seats. The new definition more accurately reflected the specifications of the vehicles that were being produced and were on the market.

#### **Awareness raising, monitoring and enforcement**

Key stakeholders were involved in the entire process. In May 2007, the DfT and representatives from the Agencies and the EU Commission met with stakeholders to explain the Directive's principles and requirements. There was also continuing informal consultation with stakeholders through workshops and meetings and the DVLA attended seminars held by industry groups. A formal written consultation exercise was undertaken in 2009.

Prior to implementation in 2013, explanatory fact sheets were sent to stakeholders and these were also published on-line. Some organisations used these to produce guidance notes for their members.

Despite these efforts and the publicity the changes generated at the time, some of those who have responded to our stakeholder survey have suggested that the information issued at the time could have been more comprehensive and better targeted.

#### **4.2 Evidence of Effects**

Given the low evidence approach, the review has not attempted to estimate the Directive's impacts on society and individual drivers. However, official correspondence

and dialogue with stakeholders does suggest that the legislation has met its broad objectives in maintaining confidence in road safety standards across Europe, as well as facilitating the free movement of drivers.

The following paragraphs consider the key objectives of the Directive and, based on the data available (including the responses to our stakeholder questionnaire), try to assess what has been achieved.

### Road Safety

The third Directive was designed to improve road safety. It sought to minimise the risk that a driver could hold more than one licence to avoid a disqualification. It has also clarified the category definitions shown on driving licences for drivers of trucks and buses, and introduced regular renewal of driving licences.

Figures show that there has continued to be a reduction in road accident deaths across the EU<sup>1</sup> with some of the previously poorer-performing countries seeing the greatest improvement. That said, the last two years has seen this rate of decline tail off or even reverse in several instances. It is not possible to attribute these improvements directly to the Directive. Road accident rates have been falling since 2010 and other factors, such as technological advances, will have played an important part in these improvements.

Prior to implementation of the third Directive the UK already had one of the best road safety records in Europe so it was anticipated that there would be only marginal benefits from the changes. In the circumstances, the IA that accompanied the regulations did not claim any road safety benefits.

There were several questions in our survey that related to the aspects of the third Directive that were aimed at improving road safety. Responses to those questions suggested that stakeholders could not see or could not offer any evidence of additional road safety benefits arising from those changes.

### Driving Licence Fraud

The Directive required paper driving licences to be phased out and all European driving licences to be issued in the form of a photocard. The card had to include specific security features to help prevent fraud.

Compulsory administrative renewal of all photocard licences was designed to ensure that licences would be reviewed regularly and re-issued with the most up-to-date security features.

---

<sup>1</sup> [https://ec.europa.eu/transport/road\\_safety/specialist/statistics\\_en](https://ec.europa.eu/transport/road_safety/specialist/statistics_en)  
<https://www.gov.uk/government/statistics/reported-road-casualties-great-britain-annual-report-2015>

In the UK, the mandatory security features required by the Directive had already been implemented before 2013.

Our survey asked stakeholders whether they felt that the new driving licence security features had made it easier to detect forged documents. Of the 11 respondents who answered the question 6 agreed that it had, although only one of the respondents to our survey identified themselves as being from an enforcement body.

The development of the RESPER information system has streamlined the exchange of licence details with other EU countries and should help to ensure that individuals hold only one authentic driving licence.

### Freedom of Movement across Europe

The principle of mutual recognition of licences across all Member States was hindered by the range of different national regulations relating to testing and medical standards, the validity of licences and medical examinations. This meant that a driver with a licence from one country would be unclear about the licensing rules and regulations if they took up residence in another. This created legal uncertainty and a lack of transparency for drivers.

Harmonisation of the driving licence validity periods and medical examination rules was intended to provide clarity for driving licence holders. The Directive allows Member States to issue a driving licence with an AVP up to 15 years, so there is still some variation across the EU. However, the validity periods are now clearly stated in fields 4a and 4b of the driving licence card. This change, together with the consistent entitlement definitions shown on the driving licence, has made it more straightforward for the licence-holder, for employers and for enforcement authorities to clearly establish a driver's entitlement.

Again, there is no evidence of a direct link between these measures and the ability of people to move freely within the EU. However, one of the basic principles of freedom of movement relates to the right for EU citizens to seek employment across Member States. Therefore, our survey sought to establish whether or not a standardised EU driving licence had made things easier for employers to carry out background checks and for drivers to find work. The results showed that 64% (7) of 11 participants strongly agreed or agreed that the standardized E.U. driving licence has made it easier to confirm driving licence entitlement of drivers from other Member States. The remaining 36% (4) neither agreed nor disagreed. However, in contrast to this only 4 of the 11 participants agreed that the standardised licence has enabled them to speed up background checks on employees while 5 neither agreed nor disagreed and 2 strongly disagreed with the statement. Thus making it difficult to draw conclusions.

### **Impact on Drivers**

The majority of the measures introduced by the third Directive were already in place in GB before 2013. Stakeholder engagement carried out prior to implementation showed that drivers and the industry were broadly supportive of the DVLA's chosen options during transposition and the principle of avoiding any gold plating of the Directive.

Most drivers will actually have been unaffected by the changes in the Directive as they mostly impacted the DVLA systems and procedures, and would not have been apparent to people applying for a driving licence. The main exception to this is the 5-yearly Group 2 driving licence card. But, as the first 5-yearly renewals applications will not be made until 2018, drivers' views on this are not yet apparent.

The results of the customer survey showed strong support for the decision to maintain existing systems and processes as far as possible. 100% of participants agreed with the approach to synchronise the driving licence card and category entitlement renewal dates, to minimise the impact on Group 2 drivers. 93% of participants agreed with the use of the existing photograph for drivers adding entitlements. There was also general support for the decision to maintain 10-year validity for licences, rather than introduce a shorter duration for novices and older drivers.

### **Impact on DVLA**

The Directive imposed considerable changes on the DVLA's systems and processes. These changes were implemented with a view to minimising system development costs and the DVLA staffing requirement, whilst being mindful of customer service levels.

An impact assessment was prepared to estimate the costs and benefits of the specific proposal to require Group 2 drivers to undergo a medical examination every five years. This showed that initially there would be 5.5 FTEs required at a cost of £116, 875 reducing to 2 extra staff by 2021/2022.

In total the impact assessments for all the third Directive changes (both Group 1 and Group 2) estimated that DVLA would be required to employ an extra 33.9 FTEs at a cost of £720,375. This was expected to reduce to about half of that by 2021/2022.

In 2014 a Business Impact Review estimated that the actual staff required would be 16 FTEs. The review did not look at the Group 2 changes in isolation. Since 2014 this figure has fallen even further as it has become clear that the predicted extra staffing costs for the Directive were expected to be more substantial than they actually were. While the Directive created a few minor issues that caused an initial increase in enquiries and casework, these were quickly rectified and dealt with largely within existing budgets.

The costs for processing the extra medical assessments will not arise until 2018, when the requirement for 5 yearly medical reviews comes into effect.



## **Impact on Business**

The Directive was implemented with a view to minimising the burden on business. The impact assessments made the assumption that impacts would be mainly on individual drivers, rather than their employers. The customer survey, and continuing dialogue with business stakeholders, has not challenged this assumption.

The DVLA has asked other Member States if the Directive has imposed undue or unexpected costs on business. There have been several replies, but there has been no post implementation analysis.

## **Unintended consequences**

Stakeholders have not reported any unintended consequences. This may reflect the view that stakeholders are generally content with the impact of the changes. Internal consideration of how the policy is working in practice also suggests that there aren't any unforeseen negative outcomes.

### **4.3 Limitations of the Evidence Base**

It is acknowledged that this review is largely based on anecdotal evidence, and assumptions made on the basis of the premise that 'no news is good news'. However, whilst there is a lack of detailed data to measure the impacts on road safety and freedom of movement, the high level indicators are that those goals are being met.

The low response rate to the survey carried out by DVLA means that the error margins for analysis and interpretation of findings is high. Therefore, the results from the survey may not show a true reflection of actual opinion.

A further shortcoming of the evidence base is that there is no data available on the number of fraudulent licences in circulation or how many of those licences have been detected as a result of third Directive changes. There will be steps taken to ensure that RESPER statistics are captured for inclusion in future PIRs.

There has been no information from other Member States with regards to the impact of the changes on their domestic stakeholders.

### **4.4 Recommendations for Future Impact Assessments**

This PIR has tried to draw inferences from the costs and benefits recorded in the impact assessments. However, the lack of a clearly defined objective has made it virtually impossible to identify data based measurements against which these could be assessed. Future impact assessments should endeavour to establish a clearer plan for collecting data and monitoring outcomes more precisely.

## **5. Overall Recommendation**

The regulations appear to have met their objective of aligning the UK's driving licence standards with the European Directive. The PIR has not found any evidence that the regulations have created any additional burden on business.

The recommendation therefore is that the regulations remain.

### **5.1 Next steps for the Regulation**

The regulations will be kept under review as required and stakeholder views will continue to be monitored through regular engagement channels.

**Outline of further legislative changes implemented after 19 January 2013 in order to meet the requirements of the Third Directive**

Instrument	Main Changes
SI 2014 3190	Made amendments to ensure that only the equivalences between categories CE, DE and D which are permitted by Article 6(2)(b) of the third Directive are permitted in the UK.
	Removed the exemption authorising category C licence holders to drive category D vehicles under certain conditions.
	Required that where a GB licence is granted in exchange for another country licence the DVLA record the country of origin on the GB licence when it is issued.
	Inserted definitions and related provisions into the RTA 1988 for the purpose of determining when a person is resident in Great Britain or the United Kingdom for driver licensing purposes.
SI 2015 719	Introduced legislation that clearly specified that it was an offence to hold more than one driving licence in the UK.