

VIOLETA BULC
Member of the European Commission

Brussels, 30. 11. 2015
JF

Mr Zsolt BECSEY PhD
Deputy State Secretary for Transport
P.O.B. 1
1440 Budapest
HUNGARY

Dear Mr Becsey,

Thank you for the letter received on 14 September concerning actions addressing the issue of the shortage of professional drivers in Hungary.

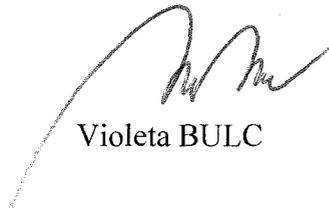
Ensuring sufficient number of competent and well-trained drivers is indeed important for a well-functioning road transport sector. I therefore appreciate that this is a priority in Hungary, and that measures are adopted to ensure this.

As regards the age of professional drivers, I am pleased to confirm that although Directive 2006/126/EC on driving licences in general lays down 21 as the minimum age for driving trucks (category C) and 24 for driving buses (category D), Article 4(6) second paragraph does indeed provide the possibility for Member States to lower the minimum age for driving vehicles of category C to 18 and D to 21 with regard to vehicles used by the fire service, for maintaining public order and vehicles undergoing road tests for repair and maintenance purposes.

Beyond that, Directive 2003/59/EC on training of professional drivers prescribes in general the minimum age of 18 for category C [Article 5(2)] and 21 for category D [Article 5(3)] for drivers having followed the initial qualification and periodic training in accordance with that Directive and who hold the relevant certificate of professional competence (CPC). While Article 4(4) (g) and (k) of Directive 2006/126/EC provides for both those categories that the minimum age set out in that Directive is "without prejudice to the provisions for driving of such vehicles in Directive 2003/59/EC" the legal situation is not without ambiguity.

An ex post evaluation of Directive 2003/59/EC revealed that this legal uncertainty has led to a divergent application of the minimum age requirement in the Union. In the ongoing work of assessing the follow-up to this evaluation, one of the objectives is to provide legal clarity on this matter. The preparatory work done so far, especially in the context of the shortage of professional drivers in numerous Member States, suggests aligning the minimum age in both Directives to 18 years for category C and 21 for category D. Taking this into account, and reading Articles 4(4)(g) and (k) of Directive 2006/126/EC in light of Article 5 (2) and (3) of Directive 2003/59/EC, the Commission would not oppose if Hungary applies the minimum ages provided for by Directive 2003/59/EC for drivers covered by that Directive.

Yours sincerely,



Violeta BULC