

READERS' QUESTIONS

Is it true that from 1st April 2009 drivers with European licences do not need to apply for counterparts?

**David Whitbread,
DVLA Press Office**

Due to changes in the law since 1 April 2009 holders of non-Great Britain (GB) and Northern Ireland driving licences are no longer required to apply to the Driver and Vehicle Licensing Agency (DVLA) for a paper counterpart in order to accept a fixed penalty.

Prior to these changes, a fixed penalty notice in respect of an endorsable offence could only be issued to a person holding a driving licence and counterpart issued in GB. Police officers, therefore, were unable to issue a fixed penalty notice to those including unlicensed drivers, Northern Ireland and non-GB licence holders unless they held a paper counterpart on which a record of their penalty points were recorded. The commencement of sections 8 and 9 of the Road Safety Act 2006 changed legislation to enable a new system to be introduced to allow fixed penalty notices to be given to drivers who do not hold a counterpart. Section 8 defines the term driver record and will mean that the database record, held by DVLA, will eventually replace the counterpart as the official record of endorsement. Section 9 provides the first stage of the new system and introduced a system of endorsement of driver records for unlicensed drivers and non-GB licence holders without a counterpart.

However, there is no change for European Community/European Economic Area (EC/EEA) or NI licence holders who already hold counterparts under Part 3 of the Road Traffic Act 1988. These drivers will continue to be dealt with in the same way a GB licence holders.

Can a person who is banned from driving in other EU country drive in UK?

**David Whitbread,
DVLA Press Office**

With exception of NI and the Isle of Man (IoM) there is no mutual recognition of driving disqualification's between GB and other EC/EEA countries. Therefore, a driver who is currently disqualified, in France for example, and becomes resident in GB may be issued with a provisional driving licence. Should the driver, then pass a driving test (theory and practical) they can obtain a full British licence and drive here as full licence holder. The main aim of Third Directive on Driving Licences (2006/126/EC) is to harmonise driving licence processes amongst member states. One of the requirements is that member states shall use a European driving licence network once it is operational. The specification of this network is yet to be determined, and no definite timetable for its introduction has been agreed. It is envisaged that the network will send requests for licensing authorities to other member states to search their driving licence databases to establish if applicants are trying to obtain more than one EU licence, and to check that a licence presented for exchange has not been withdrawn and is not a forgery. The European Commission expects to develop the technical specification to introduce the network by January 2013.

Mary Monson Solicitors

Oddzial Polski Adwokat

www.polskiadwokat.co.uk, Tel: 0808 155 4870 lub 0161 794 0088.

If you are banned in Poland, having a Polish driving licence, you must not drive a vehicle in the UK and you must not change your Polish driving licence into an English one. You can apply for your provisional driving licence. If you want to receive a driving licence you should complete the D1 application to DVLA (The Driver and Vehicle Licensing Agency). You can pick up the relevant forms from your local post office or from your local DVLA (Driver and Vehicle Licensing Agency)

Again it is important to note that whilst you are awaiting the arrival of your provisional driving licence you are not permitted to drive any vehicle - not even one owned by a driving instructor. Upon receipt of your provisional driving licence you can begin taking lessons and should always carry the licence with you if you are out in a vehicle with another person, who has a full driving licence. You can find more information on

