



Samaritan International (SAM.I.) welcomes the Commission proposal COM(2023)127 for the revision of the directive on driving licences. SAM.I. fully supports the objectives of the Driving Licences Directive to improve road safety and to facilitate the free movement of citizens within the EU, including to facilitate cross-border service provision. Nonetheless, SAM.I. would like to point out existing inconsistencies between national approaches, which complicate cross-border ambulance services, and which are not being addressed by the current proposal.

As a European network of aid- and welfare organisations, many of which conduct rescue services, patient transport or other use of ambulance vehicles as part of their daily activities, **SAM.I. calls for a European solution to enable the driving of ambulance vehicles up to 4,25 t with a driving licence granted for category B.** SAM.I. strongly believes that such a provision will have no negative effect on road safety, but on the other hand will significantly improve legal certainty for cross-border ambulance services, as well as ensure a low threshold for civic engagement by volunteers.

Currently, Member States have the possibility to grant exemptions under Article 6(2), for purposes of “civil defence”, which is applied to the driving of ambulance vehicles in some Member States. However, the lack of a European approach poses a challenge and legal uncertainty in border regions, where ambulances might be called for an emergency across the border.

Nowadays, emergency vehicles or vehicles meant for qualified patient transport (“Ambulances” as defined in Regulation (EU) 2018/858¹) are equipped with a multitude of modern medical devices and other paramedical equipment. This equipment is important to bring advances in emergency medicine into on-scene or in-transit care, thereby improving the quality of service for, and often medical outcome of, a patient’s emergency. At the same time, adding this equipment continually increases the weight of the vehicles. De-facto, ambulances routinely have a mass between 3,5 tonnes and 4,25 tonnes, despite the vehicles usually being derived from a regular M1 class vehicle, drivable with a driving licence granted for category B. From a factual safety perspective, the added weight is not impacting road safety, as the used M1 vehicle platforms, including safety-relevant equipment such as brakes, are already conceptualised for up to 4,25 tonnes, in case they are used with a trailer – which is not the case when in use as an ambulance.

Additionally, the Commission proposal already foresees an exemption of category B driving licences being valid for vehicles with a mass up to 4,25 tonnes without a trailer (Article 9 (2h)), which supports the argument that such an exemption in well-reasoned cases is not a concern for road safety.

Many ambulance drivers today only have a category B driving licence. This is particularly the case where such services are carried out by volunteers (and volunteer-based NGOs), as is the case in many EU Member States. Providing C licences to volunteers is not only costly, but a major formal threshold for potential volunteers to conduct their civic engagement, and therefore an obstacle for this important form of active citizenship, as well as an obstacle to adequate service provision.

¹ Regulation (EU) 2018/858 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Annex I, Part A, 5.3.):
'ambulance' - A vehicle of category M intended for the transport of sick or injured persons and having special equipment for such purpose.



SAM.I. considers, that under the current Commission proposal, two main concerns are not addressed:

- 1) The national legislation in some Member States does include ambulances in the definition of “civil defence” and thus enables them to grant an exemption for driving ambulances above 3,5t with a category B licence. However, this is not the case in all EU Member States. Therefore, in addition to not being obligatory to grant an exemption, some Member States effectively cannot use the civil defence exemption possibility for the purpose of ambulances. Volunteers in these countries are subject to the requirement of obtaining a category C driving licence before they can conduct their civic engagement in emergency or paramedical services.
- 2) Where national exemptions exist, they still pose a problem in border regions, as the exemption is usually only valid for the national territory. It is overwhelmingly in the general interest to have the closest ambulance respond to a call or to have a patient transported to the closest hospital, even if this means crossing a border between Member States. Today, such services are still conducted, but operate in a grey area (legal and liability matters) and/or under regional multilateral agreements to enable them.

The current situation lacks legal certainty, creates a complicated patchwork of rules for cross-border operations and makes it difficult for emergency operators, particularly volunteer-based NGOs, to offer a low-threshold entry into an important form of civic engagement.

Therefore SAM.I. calls for an inclusion of ambulance vehicles with a weight of up to 4,25 tonnes as drivable with a category B driving licence in Article 9 (2) of the revised directive, in correspondence with point (h) that already makes the same extended mass valid for vehicles with alternative fuels.

Such an exemption would harmonise the driving licence directive with Regulation 2018/858 on the approval of motor vehicles, where ambulances, yet not their drivers, are already recognised as having a special purpose.

In addition, it is crucial that any nationally granted exclusion on the basis of “civil defence” is recognised for driving on the territory of other Member States, as civil defence and civil protection vehicles are also deployed for emergency responses abroad.

Going forward, SAM.I. considers it important that the foreseen periodic reviews (Article 20) of the Driving Licences Directive include, in particular, an assessment and, where necessary, update of the mass thresholds for ambulances based on M1 vehicles. Weight increases could become a reality due to additional emergency equipment, technological developments or due to alternatively fuelled ambulances coming to market.

SAMARITAN INTERNATIONAL is a European network of 20 non-profit non-governmental organisations from 19 European countries. We are politically and religiously unaffiliated and cooperate across borders within our network, on a regional, bilateral, and multilateral basis. Our members are active in the areas of social services, first aid and rescue services, civil protection, humanitarian aid, youth work, and volunteer management. Our work is conducted with the support of about three million individual members and almost 150.000 volunteers.