



19.3.2024

NOTICE TO MEMBERS

Subject: Petition No 1013/2023 by Tom Erik Skjønberg (Swedish) on revoking the EU recognition of Maltese driving licenses

1. Summary of petition

The petitioner claims that government corruption in Malta allegedly results in serious concerns for the safety of all EU citizens and residents. He explains that the Maltese media have revealed a well-documented corruption racket regarding the issuing driver's licenses in Malta, which allegedly involved assisting drivers who normally would not pass their tests. He requests the European Parliament to instruct the European Commission to revoke the validity of driving licenses concerned by the racket, until it is confirmed that people who obtained their license during that period have re-taken the exams.

2. Admissibility

Declared admissible on 19 January 2024. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 19 March 2024

The petition

Based on articles in the Times of Malta, the petitioner claims that a government corruption scandal in Malta has been going on for several years, and that the driving licence authorities have apparently been put under pressure by high-ranking officials to assist certain candidates to pass their driving exams. The petitioner is concerned that the candidates concerned are not qualified to drive and accordingly asks the Commission to remove the validity outside of Malta of all Maltese driving licences issued during the relevant years (2018-2021).

The Commission's observations

According to the articles quoted, the above-mentioned Maltese driving licence scheme is currently being investigated by the police and a legal case is pending.

Further, in accordance with point (a) of Article 7(1) of Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ L 403, 30.12.2018, p. 18), “driving licences shall be issued only to those applicants who have passed a test of skills and behaviour and a theoretical test [...]” Annex II to that Directive contains minimum requirements for driving tests which have to be met. The Commission has no information to what extent these requirements have not been met in the cases referred to.

Declaring any driving licences obtained in a fraudulent way invalid would be a matter for the Maltese authorities in light of the on-going investigation and legal proceedings. In accordance with Directive 2006/126/EC, invalid licences should be withdrawn and as a result will not be subject to the principle of mutual recognition throughout the Union.

Conclusion

The Commission will await the resolution of the case before the Maltese courts before considering any possible further steps, but would reiterate that it has itself no competence to declare driving licences issued by Member States invalid.