

CONSULTATION DOCUMENT ON THE REPUBLIC OF KOREA DRIVING LICENCES

Introduction

1. This consultation paper seeks your views on a proposal to allow holders of driving licences issued the Republic of Korea who become resident in Great Britain, to exchange their licences for the British equivalent,
2. The changes apply to England, Wales and Scotland. Separate provision will be made by Northern Ireland.

EXCHANGE OF DRIVING LICENCES FROM THE REPUBLIC OF KOREA

BACKGROUND

3. Persons coming to live here from outside the European Community/European Economic Area (EC/EEA) may drive small vehicles (such as motorcycles, cars, vehicles up to 3500kgs or with up to 8 passenger seats) for up to a year on their valid national driving licences. After this time they must pass a British driving test in order to continue to have the right to drive, unless they hold a licence issued in a country or territory designated by law for the purpose of exchange of licences. Once a country has been designated, its licences may be exchanged for British equivalents subject to the holders meeting the normal British requirements for health and minimum ages.
4. The countries which have been designated are: Australia, Barbados, British Virgin Islands, Canada, Republic of Cyprus, Hong Kong, Japan, Malta, New Zealand, Singapore, South Africa, Switzerland, and Zimbabwe.
5. We also accept for exchange driving licences from the Channel Islands and the Isle of Man.
6. In all cases of licence exchange, the following are mandatory requirements:

- i) Applicants must show that they did not obtain the licence by way of exchange for one issued in a third country whose requirements are not as strict as in Great Britain;
- ii) Licences issued as a result of a test passed in a vehicle with automatic transmission will be exchangeable for a British licence giving entitlement to drive automatic vehicles only; and
- iii) Licences must be valid at the time of application.

THE PREVIOUS CONSULTATION

7. We consulted on the possibility of designating licences from the Republic of Korea in July 2001.
8. At that time it was proposed that we would accept for exchange licences for vehicles up to 3,500kgs and with up to 8 passenger seats issued after the introduction of a new driving test on 1 January 1997. As driving tests prior to 1997 were conducted off road it was proposed that licences issued as a result of the old style test would be acceptable for exchange for a British licence only provided:
 - the licence holder could provide evidence that he/she had not committed a road traffic offence during the last five years of residence in the Republic of Korea, and
 - he/she has not committed a road traffic offence in Great Britain; and
 - that at least one other EC/EEA country recognised the Republic of Korean driving licences for licence exchange purposes.

The latter condition is a pre-condition for all future designation of third countries for driving licence exchange.

The Proposed Changes

9. Legal difficulties have prevented the approach previously proposed in the consultation of July 2001. The Republic of Korea would clearly be disadvantaged by our consideration of pre-1997 licences only, rather than those licences issued as a result of their present day system, particularly, as only current driving test standards have been considered for other designated countries.
10. Further information on the pre-1997 testing standards in Republic of Korea have also been considered and found to be satisfactory. It is therefore proposed to designate the Republic of Korea as being acceptable for licence exchange purposes. All licences for vehicles up to 3,500kgs and with up to 8 passenger seats would be acceptable for driving licence exchange purposes. Motorcycle driving licences would not be exchangeable; the Republic of Korea did not request this.

BENEFITS OF THE PROPOSED AMENDMENTS

11. The main benefit will be to allow the grant of a full British licence to holders of licences issued in the Republic of Korea without the time and expense involved in passing a driving test.
12. The above proposals concern only those persons taking up residence in Great Britain from outside the EC/EEA. It does not affect the right to drive in Great Britain for 12 months by persons visiting from overseas, nor the right to drive here indefinitely enjoyed by the holders of licences from countries in the EC/EEA.

REGULATORY IMPACT ASSESSMENT

13. This change will not result in costs to businesses, charities and voluntary organisations and it has not been considered necessary to produce a regulatory impact assessment.

DEADLINE FOR RESPONSE: DISCLOSURE OF COMMENTS

14. The standard minimum period of consultation should be twelve weeks. The period for this consultation has been set at six weeks in view of the need to resolve the situation as soon as possible.
15. Please send any comments on the proposals in this consultation paper by 9th August 2002. at the latest, to: -

Mrs G Bevan
Drivers Policy Group,
Swansea Vale 2
Longview Road
SWANSEA
SA6 7JL
E-mail – dpg.dvla@gtnet.gov.uk

Comments received after that date would only be taken into account in exceptional circumstances. A list of all those being consulted is at Annex B.

A questionnaire summarising the proposals and seeking your views is provided at Annex A. A list of all those being consulted is at Annex B.

16. Representative groups are asked to provide a summary of the people and organisations they represent.

DISCLOSURE OF INFORMATION

17. DVLA may be asked to make public the content of replies it receives to this document. When submitting comments please state whether or not you would be content for your reply to be included in a summary of responses which the Agency may compile or divulge on request. No reference to this in your response will be taken by us as agreement.
18. DVLA may also be asked, under the Code of Practice on Access to Government Information, to provide copies of individual responses. Subject to the consent of the person submitting the comments, the Agency proposes to do so, making a reasonable charge for processing and copying. Please make it clear if you do not wish this to happen with regard to your response. Again, no reference to this in your response will be taken as agreement.

CODE OF PRACTICE ON WRITTEN CONSULTATION

19. This document complies with the “code of practice on written consultation” issued by the Cabinet Office. If you consider that this document does not comply with the consultation criteria reproduced at Annex C, please write setting out the areas where you feel the document departs from the criteria to:

Mrs Anne McAleer
Consultation Co-ordinator
Drivers Policy Group
Swansea Vale 2
DVLA
Longview Road.
Swansea
SA6 7JL

RESPONSE FORM

PLEASE PROVIDE ANSWERS TO THE FOLLOWING QUESTIONS ON THE PROPOSALS OUTLINED IN THIS CONSULTATION EXERCISE. PLEASE TICK THE BOXES TO INDICATE YOUR PREFERENCE.

YOUR DETAILS

Name _____

ADDRESS _____

POST TOWN _____

POSTCODE _____

Are you prepared to allow your responses or name to be quoted, or made available to the public?

Yes

No

EXCHANGE OF REPUBLIC OF KOREA DRIVING LICENCES

It is proposed to allow the exchange of Republic of Korea car driving licences for the British equivalent.

Do you agree to this?

Yes

No

Comments _____

ANNEX B

LIST OF CONSULTEES

ASSOC. OF BRITISH CHAMBERS OF
COMMERCE ASSOC. OF BRITISH INSURERS
ASSOC. OF CHIEF POLICE OFFICERS
ASSOC. OF CHIEF POLICE OFFICERS
(SCOTLAND)
ASSOC. OF INDEPENDENT BUSINESSES
ASSOC. OF INDUSTRIAL ROAD SAFETY
OFFICERS
AUTOMOBILE ASSOCIATION

BRITISH SCHOOL OF MOTORING
B V R L A

CBI
CBI WALES
CSMA
CHARTERED INSTITUTE OF TRANSPORT
CONSUMERS ASSOC.
COUNCIL OF CIVIL SERVICE UNIONS

DOE (NI)
DRIVING INSTRUCTORS ASSOC.
DRIVING STANDARDS AGENCY
DVLNI

FED. OF SMALL BUSINESSES
FOREIGN AND COMMONWEALTH OFFICE

GREEN FLAG

INSTITUTE OF ADVANCED MOTORISTS
ISLE OF MAN HIGHWAYS & TRANSPORT
BOARD

JUSTICES CLERKS SOCIETY

LAW SOCIETY
LIBERTY

MAGISTRATES' ASSOCIATION
MOTOR SCHOOLS ASSOCIATION

NATIONAL ASSEMBLY FOR WALES
NATIONAL ASSOC. OF ADI
NATIONAL ASSOC. OF CITIZENS ADVICE
BUREAUX
NATIONAL COUNCIL FOR CIVIL LIBERTIES

RAC MOTORING SERVICES
ROYAL SCOTTISH AUTOMOBILE CLUB
ROSPA
ROAD TRANSPORT ASSOC.

SCOTTISH PARLIAMENT

STATES OF GUERNSEY ISLAND TRAFFIC
CTTEE
STATES OF JERSEY MOTOR TRAFFIC OFFICE

TRADES UNION CONGRESS
TRANSPORT WEEK MAGAZINE

CODE OF PRACTICE ON WRITTEN CONSULTATION

- Timing of the consultation should be built into the planning process for policy (including legislation) or service from the start, so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left for it at each stage
- It should be clear who is being consulted about what questions, in what timescale and for what purpose
- A consultation document should be as simple and concise as possible. It should include a summary, in two pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain
- Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals
- Sufficient time should be allowed for considered responses from all groups with an interest. Twelve weeks should be the standard minimum period for a consultation.
- Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and the reasons for decisions finally taken
- Departments should monitor and evaluate consultations, designating a Consultation Co-ordinator who will ensure the lessons are shared.