EXPLANATORY MEMORANDUM TO

THE DRIVING LICENCES (EXCHANGEABLE LICENCES) ORDER 2025

2025 No. 811

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Transport. This instrument is not subject to any Parliamentary procedure and therefore this explanatory memorandum will not be laid before Parliament.

2. Declaration

2.1 Lilian Greenwood Parliamentary Under Secretary of State at the Department for Transport ("DfT") confirms that this Explanatory Memorandum meets the required standard.

2.2 Lynette Rose, Strategy, Policy & Communications Director at the Driver and Vehicle Licensing Agency ("DVLA") confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 International Policy at the DVLA, email: internationalpolicy@dvla.gov.uk can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument allows holders of specified driving licences issued in the Republic of Moldova who become resident in Great Britain ("GB") to exchange their licence for a GB licence, thereby enabling them to continue driving without the need to pass a driving test in GB. The specified licences are licences to drive cars issued in the Republic of Moldova. Drivers will be able to exchange these licences for a GB licence if the holder has passed a driving test in the Republic of Moldova or in another country or territory whose licences can already be exchanged in GB.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) in which the instrument forms part of the law) is England and Wales and Scotland.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales and Scotland.

5. Policy Context

What is being done and why?

5.1 GB already has in place designation arrangements for the exchange of driving licences from Andorra, Australia, Barbados, British Virgin Islands, The provinces and territories of Canada, The Cayman Islands, The Falkland Islands, The Faroe Islands, Hong Kong, Japan, Republic of Korea, Republic of North Macedonia, The

principality of Monaco, New Zealand, Singapore, South Africa, Switzerland, Taiwan, Ukraine, United Arab Emirates, Zimbabwe.

5.2 These arrangements are put in place once the country has demonstrated that their driving test standards satisfy and are equivalent to GB licensing and testing standards.

5.3 Once a country or territory has been designated, specified licences may be exchanged for GB equivalents subject to the holders meeting the normal requirements on health and minimum age. Licences must be valid at the time of the exchange application, and a licence issued as a result of a test passed in a vehicle with automatic transmission will be exchanged for a GB licence with entitlement to drive automatic vehicles only.

5.4 In May 2022 the Government of the Republic of Moldova approached the Foreign, Commonwealth and Development Office about the exchange of their driving licences.

5.5 As the Republic of Moldova has demonstrated that their driving testing and licensing standards for car licences are equivalent to GB, the Government has made the decision to support the policy to exchange car licences with the Republic of Moldova.

What was the previous policy, how is this different?

5.6 There was no previous policy in relation to the exchange of driving licences issued in the Republic of Moldova.

6. Legislative and Legal Context

How has the law changed?

6.1 Section 108(2) of the Road Traffic Act 1988 allows the Secretary of State to designate countries or territories outside the European Economic Area for the purpose of the definition of "exchangeable licences" in section 108(1) of that Act. Such designation allows the holder of a licence issued in a designated country or territory in respect of a category of vehicle specified, to exchange that licence for a licence issued in GB if they become resident GB.

6.2 This Order will designate the Republic of Moldova as making satisfactory provision for the issue of licences to drive cars, i.e. vehicles included in licensing category B which is defined in Schedule 2 to the Motor Vehicles (Driving Licences) Regulations 1999. Vehicles in category B are those (excluding vehicles included in category Q, which are not electric scooters being used in a trial, AM, A, F or K) having a maximum authorised mass not exceeding 3.5 tonnes and which carry not more than eight passengers in addition to the driver, including:

(i) a combination of any such vehicle and a trailer where the trailer has a maximum authorised mass not exceeding 750 kilograms; and

(ii) a combination of any such vehicle and a trailer where the maximum authorised mass of the combination does not exceed 3.5 tonnes.

6.3 This instrument enables a person holding a car licence issued in the Republic of Moldova to exchange it for a corresponding GB licence.

Why was this approach taken to change the law?

6.4 The change introduced by this instrument requires legislation. It was appropriate for this change to be made by secondary legislation given the order-making power and the existing orders made to date.

7. Consultation

Summary of consultation outcome and methodology

7.1 DVLA asked for the public's views on allowing drivers who hold a domestic licence for cars in the Republic of Moldova to exchange it for a British equivalent, if the driver becomes resident in GB. The consultation document was published on GOV.UK and was available for both the public and industry to express their opinions on the proposed changes.

7.2 A consultation of four weeks was considered sufficient because the proposed changes have no direct impact on businesses, civil society organisations or public services. The consultation was launched on 28 February 2025 and closed on 28 March 2025. The consultation asked for views from the public in respect of the proposed change.

7.3 There were 1066 responses to the consultation, this is higher than expected for this type of consultation. The majority (84%) of responses were positive and supportive with no major objections.

7.4 The consultation and consultation outcome is available online at GOV.UK page[1] to view and is also available in hard copy by contacting internationalpolicy@dvla.gov.uk or by post to; International Policy Team, Strategy, Policy & Communications Directorate C3W, Driver and Vehicle Licensing Agency, Longview Road, Morriston, Swansea SA6 7JL.

8. Applicable Guidance

8.1 Guidance will be updated to reflect the new policy and is available online at www.gov.uk/browse/driving/driving-licences[2]. Hard copies are also available by contacting internationalpolicy@dvla.gov.uk or by post to International Policy Team, Strategy, Policy & Communications Directorate C3W, Driver and Vehicle Licensing Agency, Longview Road, Morriston, Swansea SA6 7JL.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 An Impact Assessment has not been produced for this instrument because it does not directly impose or amend requirements for business and is, therefore, exempt from the provisions contained in the Better Regulation Framework.

Impact on businesses, charities, and voluntary bodies

9.2 There is no significant impact on business, charities or voluntary bodies because the purpose of this instrument is to allow a person holding a car licence issued in the Republic of Moldova to exchange it for a corresponding GB licence.

9.3 The legislation may impact small or micro businesses; however, any impact is likely to be minimal.

9.4 There is no impact on the public sector because the purpose of this instrument is to allow a person holding a car licence issued in the Republic of Moldova to exchange it for a corresponding GB licence and the instrument does not impose any requirements on local authorities or the wider public sector.

[1] https://www.gov.uk/government/consultations/exchange-of-car-driving-licences-issued-in-moldova
[2] https://www.gov.uk/browse/driving/driving-licences

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is that DVLA will monitor and assess the impact of the legislation through analysis of driving licence application statistics and continued engagement with the Republic of Moldova licensing authority.

10.2 The instrument does not include a statutory review clause because it is outside the scope of section 28 of the Small Business, Enterprise and Employment Act 2015 (c. 26).

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is not subject to any Parliamentary procedure and does not amend primary legislation no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 (“relevant European Union Acts”).