

23.11.07

4 Deputy C.S. Alves of the Chair of the Comité des Connétables regarding driving licenses (OQ.217/2023)

Will the chair advise whether driving licences in Jersey are issued with the date on which an individual passed their driving test rather than the date of the licence renewal or the date of when a foreign licence was exchanged for a Jersey licence; and, if not, why not?"

Connétable M.K. Jackson of St. Brelade (Chair, Comité des Connétables):

I thank the Deputy for her question. The direct answer to the first part of the question is no. The answer to the second part of the question, the "why not" bit, is fraught with complication. I will do what I can to answer the question within a reasonable time. The face of the Jersey driving licence, and you will have been circulated with a copy of it as a reminder, albeit you can rummage in your wallets or purses to have a look at yours. The face of the licence displays the date of issue at line 4(a) and on the reverse the date of issue by category in column 10. I understand the Deputy's question to be referring to the date shown in column 10. With certain exceptions, the date next to a category in column 10 will be the date on which the driver's entitlement started. Entitlement starts on the date the driver surrenders the test pass to obtain a full licence. This is not necessarily the date on which the individual passed their driving test. The exceptions currently are an individual who has held a full driving licence since before 1994. All driving licence records were computerised that year, and the date of issue by category will therefore show 1994, or whatever it is. Secondly, an individual who, despite a reminder that their licence was due to expire, did not apply to renew it until after it had expired. Thirdly, an individual who exchanged a foreign licence for a Jersey licence before June 21st has not already had their licence reissued. As Members may be aware, the Minister for Infrastructure is the licensing authority and the parochial authority, that is the Connétable, is the issuing authority for driving licences. The current practice is in line with the policy advised.

2.4.1 Deputy C.S. Alves:

Does the chair recognise the issues that can arise from these inaccuracies when the dates are not stated of when people pass their tests, for example, hiring a car abroad or proving to insurance companies how long they have held their licence for? What work can be done with the ... I think it was the Minister for Infrastructure that the chair mentioned, to ensure that going forward this is rectified because it causes a significant number of complications for drivers.

The Connétable of St. Brelade:

To date, it has been understood that if a licence is not renewed prior to expiry, then the history is lost. On inspection of the licence, it is obvious that there is a period of time or there was a period of time when no valid licence was held. This could be relevant, for example, if the driver was involved in an accident. However, Parish officers have recently been in touch with D.V.S. (Driver and Vehicle Standards) for advice regarding column 10, and we understand that having regard to Jersey legislation and the 2006 third E.U. (European Union) directive on driving licences, the date in column 10 should be when the entitlement to that category started. Once we have confirmed exactly how this is to be applied, we will address any anomalies. We are aware, for example, that a person whose licence does not currently show any history because they allowed their licence to expire may be at a disadvantage should they, as the Deputy suggested, wish to hire a car and need to show two years' experience or when exchanging their licence for a foreign licence. So we are in discussion with D.V.S. and hope to progress to a position where those anomalies will be covered.

2.4.2 Deputy R.J. Ward:

From the answer just given, it does appear that changes will be made in order of those dates. Subsequently, what happens to the data from licences that have been exchanged? Is that kept so that this change could be backdated, otherwise we could be in a very difficult position if we are being seen to not obey the international law in terms of the times of those driving licences?

The Connétable of St. Brelade:

While that element of the process will be reviewed, we still have to determine how best to address the anomalies. In June 2021, we had not a dissimilar situation with Jersey licences which had been issued in exchange for foreign licences. On that occasion, following confirmation from the D.V.S. on the requirements of Jersey legislation and once again the third E.U. directive, we adopted the following, which was recorded in the committee minutes of 12th July 2021, which will be available online, and that indicated that licences exchanged from that date would show in field 10 the valid date from on the driving licence which is surrendered. In reality, if any individual was particularly concerned about the history being shown, that can easily be dealt with at a Parish Hall under the present system.

2.4.3 Deputy R.J. Ward:

Thank you for that answer. It is confirmed that some data is kept, so if somebody does want to go back and change that, they can do that. Just to confirm that because it was a long and detailed answer.

The Connétable of St. Brelade:

That is correct.

2.4.4 Deputy T.A. Coles of St. Helier South:

Can the chair confirm, because he mentions that the driver's licence became computerised, but who is actually holding that data?

The Connétable of St. Brelade:

The Parishes will hold the data.

2.4.5 Deputy C.S. Alves:

The chair mentioned that the licence became computerised in 1994 so there may be some discrepancies in dates. Can the chair advise whether those who took their licence before 1994, where that information is kept regarding that? Because this particular question arises because I know somebody who was in the situation that the chair described, where their licence expired by 2 days, and they took their licence in 1986 and it now shows as 2022. That is quite a significant difference. If everything has been computerised, can the chair advise what happens to the data for those who took their licence before ... I think it was 1994 that the chair mentioned.

The Connétable of St. Brelade:

That is a particular case I would need to take advice on. My understanding is as soon as there is a lapse in the driving licence it has expired and the individual has to start again. But in a particular situation like this, I think I would take further advice and refer back to the Deputy.