

## Brexit FAQ – Driving Licences

### **1. I am a British citizen and I live in Portugal for 6 months of the year. Can I still drive in Portugal on my UK licence?**

R: From the day the UK leaves the EU, driving licences issued by the UK will be considered third country licences at which time the applicable legislation will be that which relates to the recognition of third country licences.<sup>1</sup>

This means holders of UK licences are authorised to drive motor vehicles in Portugal for the first 185 days following their entry into the country, providing they are not resident.

Holders of UK licences who are resident in Portugal must exchange their licence within the following deadlines:

#### **In the event of a deal:**

UK Nationals who are resident in Portugal on the day the UK leaves the EU will have until **31 December 2020** to exchange their driving licences under the current EU regulations.

#### **In the event of no deal:**

Law 27-A/2019, which approves the measures that will apply if the UK leaves the EU without a deal, will come into force. This means that UK nationals and their family members, who are resident in Portugal on the day the UK leaves the EU, will have until **31 December 2020** to exchange their driving licences under the procedures applicable to third countries. This extended period replaces the 90-day period foreseen in Article 125 (4) of the Highway Code as approved by Decree-law 114/94.

#### **UK Nationals who move to Portugal after the UK has left the EU:**

Will have 90 days, from the date they are granted residence to exchange their driving licences.

### **2. Will future residents (those who come to Portugal after the UK has left the EU) have to take a driving test in order to exchange their UK licences for a Portuguese licence?**

R: No. The UK has ratified the 1949 Geneva Convention and the 1968 Vienna Convention. As such, future residents, who hold UK-issued driving licences, will have 90 days from the date they become resident to exchange their licence without having to take a driving test.

Therefore,

If the application for exchange is handed in to an IMT Office during the 90 day period referred to above, the process will be concluded without the need to take a test (see Article 14 (1)(c) of the Driving Licence Regulation (RHLC).

If the application for exchange is handed in after the 90 day period, UK nationals will need to take a practical driving test (see Articles 128 (7) (c) and 125 (4) of the Highway Code).

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<sup>1</sup> Article 125 (3) and (4) of the Highway Code

(3) – The holders of the licences referred to in paragraph nº 1, sub-paragraphs c), d) and e) are authorised to drive motor vehicles in Portugal for the first 185 days following their entry into the country, providing they are not resident.

(4) – The holders of the licences referred to in the previous paragraph must exchange their licence within 90 days of the date on which they become resident.

**3. Will those who have registered their UK driving licences with IMT now have to exchange their licence for a Portuguese-issued one? If so, what is the procedure and cost involved?**

R: Yes. UK licences that have already been registered with IMT should be exchanged as they will be considered “third country driving licences”.

To exchange the licence, the following documents will be necessary:<sup>2</sup>

- Identification document
- Proof of residence or student status in Portugal
- Fiscal identification number
- Medical report
- Original driving licence
- Declaration of authenticity issued by the driving licence issuing authority<sup>3</sup>

The costs involved are as follows:<sup>4</sup>

- If the application is made within the 90 day period, the fee is €30,00 for the issue of the licence
- If the application is made after the 90 day period, the fee is €75,00 (€15 for the issue of a learner’s permit, €30 for the practical test and €30 for the issue of the licence)

**4. After the UK’s exit from the EU, will a British visitor who does not intend to spend more than 185 days in Portugal have to carry an International Driving Permit?**

R: No. The holders of driving licences issued by a third country that has ratified either the 1949 Geneva Convention or the 1968 Vienna Convention (as is the case of the UK) may drive in Portugal for a maximum period of 185 days without having to carry an International Driving Permit.<sup>5</sup>

**5. If I exchange my UK licence for a Portuguese licence will I be able to drive in the UK?**

R: This will depend on legislation adopted by the UK.

**6. When I exchange my UK licence for a Portuguese licence will I be able to drive in all EU Member States?**

R: Yes. If you are the holder of a Portuguese driving licence, you will be able to drive in all other EU Member States.

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<sup>2</sup> As foreseen in Articles 14 (2) and 18 of the Driving Licence Regulation (RHLC)

<sup>3</sup> Information on how to get a declaration of authenticity will be available in due course

<sup>4</sup> As foreseen on IMT fee table approved by ministerial order 1165/2010 of 9 November

<sup>5</sup> As foreseen in Article 125 (3) of the Highway Code