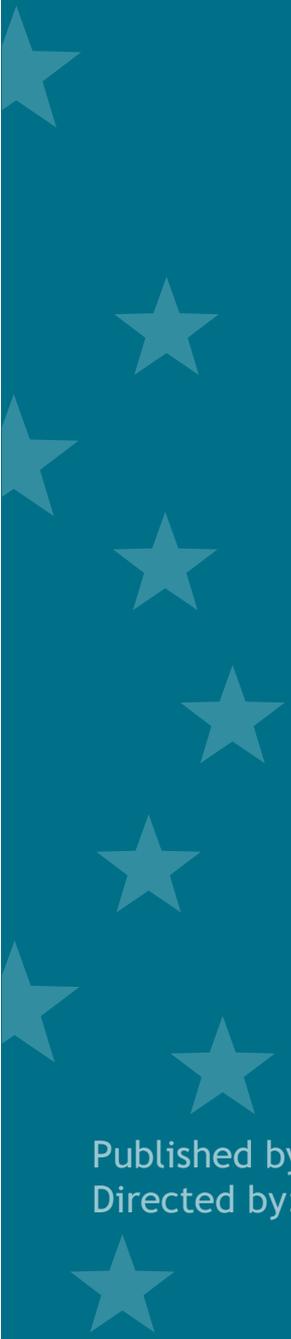




DIPUTACIÓN
DE ALICANTE

Driving in Spain





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(Text drawn up in accordance with the legislation in force on April, 2019)

1. DRIVING IN SPAIN

Road safety, and in general, administrative action in relation to vehicles, their use and control, falls upon different Administrations: Local Council (Ayuntamientos), General State Administration (Administración General del Estado), through the Directorate General of Traffic (Dirección General de Tráfico - DGT) and Autonomous Communities, who are responsible for technical vehicle inspection.

In any event, to drive a vehicle in Spain, it is compulsory to have the pertinent administrative authorisation (permits and licenses), which authorises the holder to drive a certain type of vehicle, and has a determined validity period, after which it must be renewed.

2. ADMINISTRATIVE AUTHORISATION TO DRIVE

In Spain, just like in other countries, there are different kinds of driving licenses depending on the type of vehicle driven (motorcycles, private cars, lorries). On occasion, one must have a previous permit to obtain a different one later, for example, to drive larger vehicles or that are more powerful than before. Moreover, age is another requirement limiting driving of certain more powerful vehicles, or that are more complicated to drive.

Requirements in Spain to obtain the pertinent permit or license to drive are basically:

- Have the age established for that permit or license.
- Pass the theoretical or practical exams.
- Pass pertinent psycho-technical exams.
- Other complementary requirements: having a previous permit or license or having it for a certain amount of time.

In Spain, permits and licenses to drive are issued by Provincial and Local Traffic Headquarters (Jefaturas Provinciales y Locales de Tráfico), after verifying that applicants meet psycho-physical aptitude requirements and have the knowledge, skills, aptitudes and behaviours required for each one of them. Main permits are:

- **AM two- and three-wheel mopeds and lightweight four-wheelers.** The minimum age to obtain this is fifteen years.

- **A1 motorcycles with a maximum cubic capacity of 125 cm³** and 11 kW maximum horsepower. The minimum age to obtain this is sixteen years.
- **A2 motorcycles with 35 kW maximum horsepower.** The minimum age to obtain this is eighteen years.
- **A motorcycles and motorised three-wheelers.** The minimum age to obtain this is twenty years.
- **B** authorises one to drive the following vehicles, and the minimum age to obtain it is eighteen years:
 - Automobiles whose maximum authorised mass is no greater than 3,500 kg, designed and built to transport no more than eight passengers, in addition to the driver.
 - Sets of coupled vehicles comprising a tractor vehicle, which may be driven with class-B permit's authorisation, and a trailer whose maximum authorised mass is greater than 750 kg, provided that the maximum authorised mass for the set of vehicles is no greater than 4,250 kg, notwithstanding provisions that type approval regulations set for these vehicles.
 - Motorised three-wheelers and four-wheelers.

B+E, C1, C1+E, C, C+E, D1, D1+E, D, D+E: another kind of permits to drive lorries with different tonnage, buses with more or fewer passengers or certain special vehicles. In any event, to professionally drive this kind of vehicle, requirements set forth specifically by professional driver regulations must also be met.

3. FOREIGN PERMITS

In addition to Spanish permits and licenses, driving permits issued in any EU Member State or Member States of the Agreement on the European Economic Area are valid for driving in Spain, provided that the required age is the same as in Spain, and the permits are valid.

The holder of a driving license issued in one of these States who has acquired normal residence in Spain shall be subject to Spanish provisions regarding the validity period, testing for psycho physical aptitudes and assigning points.

Regarding a driving permit not subject to a determined validity period, the holder must renew it after two years have passed following establishment of normal residence in Spain.

Holders of a driving license who have acquired normal residence in Spain, and who must be subject to Spanish regulations pursuant to the paragraph above, shall continue to possess their driving license, and it shall be registered with the Registry of Drivers and Driving Offenders (Registro de conductores e infractores) for the pertinent validity period, based on age and the class of the permit they hold. At any time, these drivers may request the Spanish equivalent of their driving license from the Provincial Traffic Headquarters. In certain cases, this can be done ex officio.

(For more detailed information, see Art. 15 of Royal Decree 818/2009)

4. EXCHANGING LICENSES ISSUED IN DIFFERENT COUNTRIES

Spain has agreements with a great number of countries. This means that, if one meets a series of requirements and conducts certain procedures, a foreign permit may be handed over in exchange for a Spanish one.

Each agreement defines the requirements for each country, and even for each type of permit or license. However, basically, residence in Spain is required, along with proof of necessary psycho-physical aptitudes, the foreign license must be provided, the subject must not have had the license deregistered in the country of origin and certain documentation, such as photographs, must be provided.

Generally speaking, permits in classes A1, A and B can be exchanged without exams. Other classes require that one pass some kind of exam, which differs depending on the agreement in question. In any event, permits obtained abroad after signing the Agreement if the applicant resided in Spain before signing said Agreement shall not be exchanged.

Based on the agreements, permits issued in the countries below may be exchanged:

People's Democratic Republic of Algeria
Republic of Argentina
Republic of Bolivia
Republic of Chile
Republic of Colombia
Republic of Ecuador
Kingdom of Morocco
Republic of Nicaragua
Republic of Peru
Dominican Republic
Republic of Panama
Republic of Paraguay

Republic of Uruguay
Bolivarian Republic of Venezuela
Federal Republic of Brazil
Republic of El Salvador
Republic of the Philippines
Republic of Guatemala
Republic of Serbia
Republic of Turkey
Tunisia
Ukraine
Macedonia

5. LICENSE BY POINTS

Since 2006, License by Points (the so-called Carnet por puntos) has been in force in Spain. This means that each driver is given an initial balance of points (12, in general, and 8 for new drivers). For each offence they commit, in addition to the pertinent economic fine, a series of points is subtracted based on the severity of the offence (for example, driving without a seatbelt would lead to the loss of 3 points). Moreover, if time passes and no point has been lost, the balance increases until reaching the maximum, which are 15 points.

The DGT's page provides a table of offences that subtract points, as well as the point balance available on our driving license.

Losing all points leads to the loss of the driving permit or license, and a series of re-education courses must be completed to obtain it again. Additionally, these courses can be completed to recover lost points with no need to wait to lose all of them.

6. VEHICLE DOCUMENTATION

Basic documentation that must be carried while driving is the Vehicle Registration Certification (Permiso de Circulación del Vehículo) and the vehicle's Technical Inspection Certificate (Ficha de Inspección Técnica), in addition to the driving permit.

In addition to ownership of the vehicle and address, the Vehicle Registration Certification contains details identifying the vehicle.

Moreover, the Technical Inspection Certificate contains information on the horsepower and other vehicle variables, and shows that periodical exams have been effectively completed, the Vehicle Technical Inspection (Inspección Técnica de Vehículos - ITV). Vehicles registered in Spain must undergo a periodical inspection, so as to verify the general condition and safety elements of the vehicle. The frequency of this inspection depends on how old the vehicle is. Vehicles registered abroad can conduct voluntary technical inspections in Spain and obtain a report on the inspection, but not a Spanish Technical Inspection Certificate.

Along with this documentation, drivers must carry a mandatory insurance policy that must be hired for all vehicles. It is advisable to carry a receipt of the last payment received, proving that the insurance is valid.

When one intends to transfer a vehicle to another owner, all the aforementioned documentation must be properly formalised, and one must also be current with the Tax on Motorised Vehicles (Impuesto sobre Vehículos de Tracción Mecánica - IVTM), annually collected by Local Council, and no fines must be pending payment. This procedure is conducted at the Provincial Traffic Headquarters (Jefatura Provincial de Tráfico - JPT) with jurisdiction over the purchaser or seller, after paying the Property Transfer Tax (Impuesto de Transmisiones Patrimoniales - ITP) to the Autonomous Community and a fee to the Provincial Traffic Headquarters.

The IVTM is a local tax paid to the Local Council where the vehicle is registered. It mainly depends on the vehicle's horsepower. In the province of Alicante, this tax is generally collected by the autonomous body SUMA.

7. REGISTRATION

To properly identify vehicles being driven in Spain, it is compulsory that all vehicles that shall be driven permanently in Spain have Spanish plates, and it is the owner's obligation to apply for a Spanish plate. Moreover, registration requires payment of the pertinent fee and, if applicable, the Registration Tax and the IVTM to the Local Council of residence, passing the ITV and filing the pertinent application with the JPT.

Failure to comply with this obligation may lead to fines, and the vehicle being blocked by police authorities.

Once the vehicle's useful life is complete, it must be deregistered with the JPT and delivered to a point authorised to handle this kind of vehicle for processing. Leaving the vehicle on a public roadway can lead to different kinds of liabilities.

8. FINES

Spanish authorities place great importance on road safety, which means that failure to comply with rules can even lead to jail time for offenders. This is the case, for example, when driving under the influence of high amounts of alcohol, with excess speed or driving that harms third parties.

In any event, there is a series of behaviours that lead to administrative fines. The fine consists of paying one economic amount that increases with the severity of the offence. It may be as high as several thousand euros, and if applicable, may lead to an applicable loss of license points. Reference legislation provides prohibited behaviours and their fine.

Offences committed by non-nationals without habitual residence in Spain may lead to the vehicle being blocked by authorities until the fine is effectively paid.

Once a claim is filed by the DGT, autonomous community police or the local police, the fine procedure is initiated. The interested party may allege his/her interests pursuant to law and provide and propose the proof he/she deems pertinent. The final ruling may be appealed to the Administration itself, or if applicable, the Courts. In any event, there are large discounts if the economic fine is voluntarily paid by legally established deadlines. Failure to pay a traffic fine can lead to confiscation of salaries, bank accounts, vehicles and even real estate, with pertinent interests and surcharges.

9. ADDRESSES OF INTEREST

Jefatura de Tráfico de Alicante (Traffic Headquarters)

C/ Ferré Vidiella, 4 esquina S. Juan Bosco, 12 - 03071 Alicante

Tel.: +34 965 12 54 66 / Fax: +34 965 92 57 59

Hours: Monday through Thursday, 8:30 through 16:30. Friday from 8:30 to 13:00.

10. LINKS

<https://sede.dgt.gob.es/es/tramites-y-multas/permiso-de-conduccion/canje-de-permisos/union-europea.shtml>

11. LEGISLATION

- Royal Legislative Decree 6/2015, dated 30 October, approving the restated text of the Law on Traffic, Motor Vehicle Traffic and Roadway Safety.
- Royal Decree 1428/2003, dated 21 November, implementing Royal Legislative Decree 339/1990, dated 2 March, approving the text of the Law on Traffic, Motor Vehicle Traffic and Roadway Safety.
- Royal Decree 2822/1998, dated 23 December, approving the general vehicle regulation.
- Royal Decree 320/1994, dated 25 February, approving the Regulation on the Traffic Fine Procedure, Motor Vehicle Traffic and Roadway Safety.

Legal warning: the information contained in this guide has a merely informative nature, and entails no rights, expectations or responsibilities whatsoever for the Alicante Provincial Council (Diputación de Alicante).



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