

STUDY ON DRIVER TRAINING SERVICES

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SUMMARY

Driver training services are crucial for ensuring road safety and for the personal and professional development of citizens, as well as for the transport sector. This study analyses this sector, with the aim of identifying areas where there is room to enhance efficiency and competition and making proposals for improvement. To this end, the study recommends the following. First, making the driver training rules more flexible. Second, reducing the barriers to the opening and to the activity of driver training centres. Third, facilitating access to the exercise of professions related to driver training services. Fourth, promoting efficiency in the management of examination capacity. And fifth, promoting transparency and balanced relations between market agents.

KEY WORDS: regulation; competition; driving schools; driver training.

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TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	8
1. INTRODUCTION	13
2. BACKGROUND ON COMPETITION ADVOCACY AND ENFORCEMENT ACTIVITIES.....	14
3. LEGAL FRAMEWORK.....	18
3.1. Overview	18
3.2. Driving licences.....	20
3.2.1. European Union legislation	20
3.2.2. National legislation	21
3.3. Driving school activity	28
3.3.1. Opening authorization	28
3.3.2. Material resources.....	29
3.3.3. Human resources	31
3.3.4. Student registrations and files and other requirements	32
3.3.5. Qualification and accreditation regime for instructors and managers.....	33
3.4. Special licences	35
3.4.1. Certificate of Professional Competence (CPC).....	36
3.4.2. Dangerous goods: ADR permit	41
3.5. Courses for the recovery of points	44
3.5.1. Road safety awareness and re-education courses	45
3.5.2. Safe and efficient driving courses	49
3.6. International comparison	50
3.6.1. Obtaining a driving licence	50
3.6.2. Professional qualifications for driving education	57
4. ECONOMIC CHARACTERIZATION	61
4.1. Training for obtaining driving licences.....	61
4.1.1. The demand	61
4.1.2. The offer: driving schools	63
4.1.3. The business structure and competitive situation of the sector	72
4.1.4. Driving school services: prices, efficiency and quality	78
4.1.5. Driving school associations.....	86
4.2. Training for obtaining the CPC	88
4.3. ADR Permit Training	90
4.4. Training for the recovery of points	91
5. RESTRICTIONS ON COMPETITION AND EFFICIENT REGULATION ...	94
5.1. Driver training services functioning	94
5.1.1. Reservation of activity and restrictions on lay instruction	94
5.1.2. Restrictions on methods and technologies in professional training	96

5.2. Opening requirements and restrictions on the operation of driver training services centres	97
5.2.1. Requirements for the opening and operation of driving schools.....	97
5.2.2. Double authorisation of CPC centres.....	99
5.2.3. Double authorisation of ADR centres.....	100
5.3. Professional qualifications for driver training services	100
5.3.1. Diploma in Safe and Sustainable Mobility Training.....	100
5.3.2. Professional Qualification for Driving School Managers.....	101
5.3.3. Professional qualification requirements for teachers in dangerous goods transport	102
5.3.4. Administrative concessions to offer courses for instructors in driving schools and road safety awareness and re-education centres	103
5.3.5. Double authorisation to work as a driving school instructor or manager	104
5.3.6. Double authorisation to work as a specialist instructor in the Diploma in Safe and Sustainable Mobility Training	104
5.4. Regulatory segmentation of driver training services	105
5.5. Management of driving licence tests.....	108
5.5.1. Rules for the allocation of exam capacity.....	108
5.5.2. The CAPA System	110
5.5.3. Factors affecting the demand for exam capacity	112
5.6. Transparency and information asymmetries	113
5.7. The role of sectoral associations.....	114
5.7.1. Mediation with the administration and management of sensitive information.....	114
5.7.2. Management of municipal practice grounds by associations.....	115
6. CONCLUSIONS AND RECOMMENDATIONS	117
FIRST. MAKING THE DRIVER TRAINING REGIME MORE FLEXIBLE.....	117
I. Facilitate learning by driving accompanied by a lay instructor.....	117
II. To make methods and technologies for driver training more flexible	118
SECOND. REDUCING BARRIERS TO THE OPENING AND ACTIVITY OF DRIVER TRAINING CENTRES	119
III. Eliminate the requirement to have physical premises for driving schools	119
IV. Eliminate restrictions on the ownership regime of driving school vehicles	120
V. Eliminate unnecessary duplication in opening requirements.....	120
V.A. Eliminate the double opening authorisation for CPC centres	120
V.B. Eliminate the double opening authorisation for ADR centres	121
VI. Assess the need for a register and records of the students by the driving schools	121
VII. To make it easier for centres to offer different types of training for drivers.....	122
THIRD. FACILITATE ACCESS TO THE EXERCISE OF PROFESSIONS RELATED TO DRIVER TRAINING.....	123
VIII. Facilitate the access to and exercise of the professions of instructor and manager of driver training centres	123
VIII.A. Eliminate the professional qualification of driving school managers.....	123

VIII.B.	Maintain a professional qualification pathway for driving school instructors similar to the current certificates of aptitude	123
VIII.C.	Eliminate the double authorization to exercise as a driving school instructor or manager	124
VIII.D.	Eliminate the double authorisation to exercise as a specialist instructor of the Diploma in Safe and Sustainable Mobility Training.....	125
VIII.E.	Harmonize the requirements for the exercise as a trainer in the transport of dangerous goods.....	125
VIII.F.	To make it easier for the same professional to carry out different training activities.....	126
IX.	Facilitate the opening and activity of training centres for road safety training professionals	126
IX.A.	Replace the administrative concession with a prior authorisation regime in the courses for obtaining certificates of aptitude for driving school instructors	126
IX.B.	Replace the administrative concession regime with prior authorisation in the courses to obtain qualifications as a trainer and psychologist-trainer in road safety awareness and re-education courses	127
IX.C.	To make it easier for the same instructor training centre to offer courses for different specialties.....	128
FOURTH. PROMOTING EFFICIENCY IN THE MANAGEMENT OF EXAMINATION CAPACITY		128
X.	Further improving the rules for the allocation of examination capacity	128
X.A.	Make public the details of the system's functioning and review it regularly	129
X.B.	Consider taking into account the differences in pass rates of the different licences in the calculation of the correction factor	129
X.C.	Consider taking into account the transfers of students between driving schools	130
X.D.	Frequently update the ratio used for the allocation of capacity between driving schools.....	130
X.E.	Clarify and make public the rules of allocation under the reservation system...	130
XI.	Make the rules for the presentation of students in different provinces and exam centres more flexible	131
XII.	Consider adopting a capacity allocation system based on individual candidates' applications	131
XIII.	Consider introducing targeted incentives for learners to promote efficient use of available exam capacity	132
FIFTH. PROMOTING TRANSPARENCY AND BALANCING RELATIONSHIPS BETWEEN MARKET PLAYERS.....		132
XIV.	Increase the information available to consumers on the services provided by driver training centres.....	132
XV.	To facilitate the management by students of the administrative files and procedures related to obtaining a driving licence.....	133
XVI.	Promote compliance with competition regulation from institutions, companies and associations in the sector	133
XVII.	Promote pro-competitive conditions in the access to publicly owned practice grounds.....	134

XVIII.	Traffic authorities must ensure free access to examination centres	135
XIX.	Review the software tool for processing exam files by driving schools to facilitate its use without intermediaries.....	135
ANNEX I. INTERNATIONAL COMPARISON		137
ANNEX II. DESCRIPTION OF THE INFORMATION USED AND THE DRIVING SCHOOL DATABASE		150
ANNEX III. TYPES OF PERMITS AND CLASSIFICATION.....		158
ANNEX IV. GEOGRAPHIC AND COMPETITOR ANALYSIS		159
BIBLIOGRAPHY		167

EXECUTIVE SUMMARY

Driver training services are crucial for ensuring road safety and for the personal and professional development of citizens. They are also key for the transport sector, which is essential for the economic and social structuring of the territory, as well as for the professional activity of many people. In Spain, around 900,000 driving licences are issued each year and 58% of the population had one in 2023, a figure that rises to 79% for the population aged 25 to 64. Around two-thirds of the licences were issued to people between 15 and 34 years old, which reflects that many of those seeking driver training are young people, whose income is below the average. Likewise, although the licence is relevant for the vast majority of the population, in less populated areas and with accessibility limitations it can become almost indispensable.

Given this importance for the population and the economy, the CNMC has elaborated this study to analyse the sector in depth, identify the main problems it faces and propose reforms that promote greater competition and efficiency. The purpose is to improve the operation of driving schools and access to driver training, for the benefit of citizens.

Driver training is subject to extensive regulation, mainly motivated by the protection of road safety. The activity is largely focused on developing the skills necessary to take the administration exams to obtain **driving licences**, which vary depending on the vehicle and the activity. Likewise, in Spain a points-based driving licence is in force, and the recovery of points is subject to passing specific courses or exams offered by driver training centres.

Based on the analysis of the sector, this study identifies a series of restrictions that affect its efficiency and competition and that, in some cases, could be subject to revision or even elimination. On the one hand, the **reservation of activity** in favour of driving schools and other driver training centres means that only authorised centres are allowed to provide training, limiting other options such as, for example, for applicants to prepare independently. On the other hand, **opening requirements** oblige the training centres to have, among other means, premises, vehicles and practice grounds, as well as different requirements and procedures for each type of training. Likewise, teachers and managers of training centres are subject to **professional qualification** requirements, so that they must hold degrees or pass specific courses in training centres that, in turn, must comply with their own operating regime. There are also numerous **rules governing the exercise** of the activity, which sometimes limit the teaching methods. The fact that these are different for each area of training leads to **regulatory segmentation** and makes it difficult to deliver different courses together. Finally, given the relevance of driving tests for the sector, the **decisions made by traffic authorities**, for example, in the management of exams, have a significant influence on the functioning of this activity.

Reviewing these barriers to enhance efficiency and competition would bring benefits to consumers and the economy. It would facilitate the work of training centres and help to promote a more extensive, varied and affordable quality of driver training offer. All this respecting the protection of road safety as an essential objective of general interest.

To this end, the CNMC makes the following recommendations:

FIRST. MAKING THE DRIVER TRAINING REGIME MORE FLEXIBLE

The existence of tests carried out by traffic authorities reduces the need to regulate teaching methods. Therefore, we recommend the following:

I. Facilitate learning by driving accompanied by a lay instructor

The CNMC proposes to make the requirements for accompanied driving more flexible, in line with other comparable countries. This could facilitate the learning and practice of driving, providing students with alternatives to train and gain experience, without undermining, or even reinforcing, road safety.

II. To make methods and technologies for driver training more flexible

We recommend that, unless in justified exceptions, training centres and students should be able to choose the means and methods of teaching that they consider most effective and convenient, facilitating innovation and the existence of alternatives.

SECOND. REDUCING BARRIERS TO THE OPENING AND THE ACTIVITY OF DRIVER TRAINING CENTRES

III. Eliminate the requirement for driving schools to have physical premises

We propose to eliminate the requirement of premises, as they are not necessary for training or to ensure road safety.

IV. Eliminate restrictions on the ownership of driving school vehicles

We propose to eliminate requirements on the registered ownership of driving school vehicles as it does not impact education, it being sufficient that the ability to use them is accredited.

V. Eliminate unnecessary duplication in opening requirements

We recommend to eliminate the double authorisation for the opening and approval of courses for CPC centres (training for professional transport in heavy vehicles) and ADR centres (training for the transport of dangerous goods).

VI. Assess the need for a register and student records by driving schools

We propose to assess the need to require registers and student records as they are not necessary for training or for monitoring compliance with regulations.

VII. To make it easier for centres to offer different types of training for drivers

We recommend to facilitate the provision of different courses by the same centre by simplifying procedures and harmonising means and contents, as well as allowing the joint training of students from different courses when the subject allows it.

THIRD. FACILITATE ACCESS TO THE EXERCISE OF PROFESSIONS RELATED TO DRIVER TRAINING

VIII. To facilitate access to and exercise of the professions of instructor and manager of driver training centres

The CNMC proposes, in the first place, to eliminate the professional qualification of driving school managers. Second, to maintain a professional qualification route for driving school instructors similar to the current certificates of aptitude. Third, to eliminate the double authorization to exercise as a driving school instructor or manager. Fourth, to eliminate the double authorisation for the exercise as a specialist teacher of the “Diploma in Safe and Sustainable Mobility Training”. Fifth, to harmonize the requirements for the exercise of training in the transport of dangerous goods. Finally, to make it easier for the same professional to conduct different training activities.

IX. Facilitate the opening and activity of training centres for driver training professionals

We recommend, first, to replace the administrative concession with a prior authorization regime for courses to obtain certificates of aptitude for driving school instructors. Secondly, to replace the administrative concession regime with prior authorisation for courses to obtain qualifications as a trainer and psychologist-trainer in road safety awareness and re-education courses. Finally, to make it easier for the same teacher training centre to offer courses for different specialties.

FOURTH. PROMOTING EFFICIENCY IN THE MANAGEMENT OF EXAMINATION CAPACITY

X. Further improving the rules for the allocation of examination capacity

We propose, first, to make the details of the system's operation public and to review them regularly. Second, to consider taking into account the differences in pass rates for different permits when calculating the correction factor. Third, to consider factoring in the transfers of students between driving schools. Fourth, to frequently update the ratio used for the allocation of capacity among driving schools. Fifth, to clarify and make public the allocation rules under the reservation system.

XI. Make the rules for the presentation of students in different provinces and exam centres more flexible

The CNMC proposes to facilitate the presentation of students in other examination centres in addition to the one assigned initially, to give alternatives to candidates and enable a more efficient use of exam capacity.

XII. Consider adopting a capacity-allocation system based on individual candidates' applications

We recommend to consider an allocation system that is based directly on the candidates' applications, to provide students with direct decision-making power and as a way to simplify the management of exams.

XIII. Consider introducing targeted incentives for learners to promote efficient use of available exam capacity

We propose to consider new incentives for candidates to take the driving tests only when they are ready to pass, in order to alleviate the saturation of examination capacity.

FIFTH. PROMOTING TRANSPARENCY AND BALANCING RELATIONSHIPS BETWEEN MARKET PLAYERS

XIV. Increase the information available to consumers on the services provided by driver training centres

The CNMC recommends improving the availability and presentation of information to facilitate student decisions that promote competition and quality.

XV. To facilitate the management by students of the administrative files and procedures related to obtaining a driving licence

The CNMC proposes that students can directly make arrangements on their administrative files, to give them greater control and decision-making capacity.

XVI. Promote compliance with competition regulations from institutions, companies and associations in the sector

We recommend for institutions, companies and associations to keep a firm commitment to respect and promote competition regulations, in order to prevent anti-competitive conducts such as those recorded in the past.

XVII. Promote pro-competitive conditions in access to publicly owned practice grounds

The CNMC recommends that public owners and managers of practice grounds promote access on transparent, equitable and non-discriminatory terms.

XVIII. Traffic authorities must ensure free access to examination centres

We propose that the authorities ensure that access to examination facilities is free, limited only by administrative fees or common management rules that are equitable and transparent.

XIX. Review the software tool for the processing of exam files by driving schools to facilitate its use without intermediaries

We recommend to simplify the tools used for the processing of exam files for driving schools in order to facilitate their direct use. With regard to intermediaries and suppliers of software solutions, in particular when they have another activity in the sector, they are urged to establish mechanisms to guarantee respect for competition regulations.

1. INTRODUCTION

Driver training services are required by most people at some point in their lives. According to data from the traffic authority (Dirección General de Tráfico, DGT) and the national statistical institute (Instituto Nacional de Estadística, INE), around 900,000 driving licences are issued in Spain each year. In 2023, 58% of the Spanish population had at least one driving licence, a figure that rises to 79% in the population between 25 and 64 years of age. All this reflects that the driver training sector is very relevant, not only because of the high demand it manages, but also because its services are essential for the mobility of people, for the functioning of the transport sector and for the incorporation into the labour market of a large segment of the population, in particular young people, who tend to have a below-average income.

Driver training activities in Spain are generally highly regulated, with rules governing everything from obtaining permits to opening and operating training centres. These regulations generally seek to preserve and promote road safety, both during education and once a driving licence has been obtained. Some of them may affect the efficiency and competition of the sector. As a result, they can increase training costs, make it difficult to open and expand new centres, especially in less populated municipalities, reduce the variety and quality of services available, or discourage innovation and improved training.

Given the importance of this sector for the population and the economy, the CNMC has elaborated this study to analyse the sector in depth, identifying problems and proposing reforms that promote greater competition and efficiency. The aim is to optimise the operation of driving schools and improve access to driver training, so that citizens can obtain their driving licences in a more accessible, affordable and efficient way. All this seeks to promote a more efficient and competitive regulatory environment, which benefits both consumers and operators, and which results in a better functioning of the driver training sector, always preserving the essential objective of promoting road safety.

The study consists of 6 sections, including this introduction. Section 2 reviews the competition background related to the object of the study, in the field of both competition advocacy and enforcement. Sections 3 and 4 provide a legal and economic characterisation of the driver training sector and related activities. Section 5 discusses restrictions on competition and the efficient functioning of the market. Finally, section 6 sets out the main conclusions drawn from the analysis and recommendations for improving competition in the sector.

2. BACKGROUND ON COMPETITION ADVOCACY AND ENFORCEMENT ACTIVITIES

The CNMC and other institutions have spoken on several occasions about the sector from the point of view of **competition advocacy**. For instance:

1. The [IPN 38/10](#), carried out by the former National Competition Commission (Comisión Nacional de la Competencia, CNC), positively assessed the elimination of various administrative requirements and barriers to the constitution and activity of driving schools, in the context of the transposition of Directive 123/2006/EC into¹ domestic law. In particular, the creation of a single opening authorisation with national validity, the elimination of the double authorisation regime for driving schools or the elimination of some restrictions on personal and material means.
2. The [IPN/CNMC/032/19](#) reported on a proposal to amend the General Regulation for Drivers², which required a **minimum number of hours of in person training in driving schools** to obtain driving licences, as well as a minimum number of hours of training in the event of not passing the practical driving tests. The CNMC assessed the proposals negatively, considering that they granted unjustified advantages to driving schools based on in person training over other competitors, such as online driving schools or other training centres. These reforms were finally not passed.
3. The [IPN/CNMC/012/23](#) reported a proposal to amend Royal Decree 1295/2003³ (hereinafter, Driving Schools Regulation) and the General Regulation for Drivers, which had three main objectives: i) to recognise the "Higher Technician Qualification in Training for Safe and Sustainable Mobility" as sufficient qualification for the exercise as driving school instructor or manager; ii) to establish the rules for the allocation of examination capacity for the driving test, through the so-called "CAPA System"; and iii) to create a mechanism for the recognition of the qualifications issued by the Ministry of Defence for the exercise of teaching as an instructor/manager of a driving school in the civilian field.

The report considered that the increase in training required for the exercise as a driving school instructor or manager that the new Diploma would entail was not adequately justified. It recommended the elimination of the double qualification to exercise as a driving school instructor or manager

¹ [Directive 2006/123/EC](#) of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

² [Royal Decree 818/2009](#), of 8 May, approving the General Regulation for Drivers.

³ [Royal Decree 1295/2003](#), of 17 October, approving the Regulation governing driving schools.

- (a certificate attesting the required qualification and an authorization to exercise). It also considered the requirement to have a “Certificate of Aptitude for Driving Instructors” in order to be eligible for the “Certificate of Aptitude of Driving School Manager” disproportionate, given that driving school managers do not participate directly in driving training.
4. The [IPN/CNMC/032/23](#) examined a Draft Ministerial Order with the regulatory development (provided for in the Traffic Law⁴) of the “**safe and efficient driving courses**” for the recovery of points on the driving licence. The CNMC welcomed the introduction of a certification system for the courses, as well as the possibility of being taught by any driver training centre. It also identified elements that could be improved, such as the existence of separate certification procedures for the two motorcycle courses planned, the prohibition of joint training for students from different courses, the obligation to provide theoretical training in person or the impossibility of providing vehicles by students in the case of car courses, among other things.
 5. The [IPN/CNMC/005/24](#) reported a Draft Ministerial Order approving a new operating regime for “**road safety awareness and re-education courses**” for the recovery of points on the driving licence. The CNMC considered positively aspects such as a more flexible teaching regime, by allowing partial *online* training. On the contrary, it considered excessive some of the requirements for associations of victims of traffic accidents to be able to participate in the courses. It also negatively assessed the prohibition of providing joint training to students belonging to different courses or the establishment of restrictions on working hours and schedules for training.
 6. The [IPN/CNMC/029/24](#) reported a Draft Ministerial Order that regulated training **for progressive access to category A driving licences**. Among other things, the CNMC criticised the impossibility for the vehicles used in the courses to be provided by the students themselves, as well as the obligation for the vehicles to be registered in the branches of the driving schools in charge of carrying out the courses. It recommended the approval of the necessary regulations to allow the teaching of the courses by centres other than driving schools.

In addition, the following actions by **international competition authorities** in the field of competition advocacy may be highlighted:

⁴ [Royal Legislative Decree 6/2015](#) of 30 October, approving the revised text of the Law on Traffic, Circulation of Motor Vehicles and Road Safety.

1. Italy's competition authority published a [report](#) in 2010 that identified restrictions on the activity of driving schools, such as the procedure for the professional qualification of owners or requirements related to premises.
2. The Luxembourg competition authority published a [sectoral study](#) on the driving school market in 2016. It included recommendations such as the elimination of minimum hours of training before taking the driving tests, the elimination of double authorizations for driving schools or the publication of the pass rates of each driving school to favour transparency and facilitate consumer decisions.
3. France's competition authority published [three "opinions"](#) (*avis*) between 2015 and 2016 on draft legislation in the driving school sector. Among other things, it recommended that the distribution of examination capacity should not depend on the past activity of the driving school but on its present demand, consisting of its enrolled students. In the medium term, it proposed the adoption of a system in which students can request taking the driving tests by themselves, instead of requiring the intermediation of the driving school⁵. Finally, it was in favour of the approval of a maximum limit on the fees that driving schools can charge for expenses related to accompanying students during the tests.

In terms of **antitrust proceedings in Spain** there are different cases, and several involve associations in the sector. In particular:

1. Most are related to **pricing agreements or collective price recommendations**. Thus, the former Tribunal de Defensa de la Competencia (TDC) imposed sanctions on the driving school associations of Alcalá de Henares ([File 461/99](#)), Santa Cruz de Tenerife ([File 462/99](#)) and Badajoz ([File 582/04](#)) for making collective price recommendations. The CNMC has sanctioned the provincial associations of Madrid ([SAMAD/07/2015](#)) and Murcia ([SAMUR/001/16](#)) for the same reason. Likewise, the Consejo de Defensa de la Competencia de Andalucía (CDCA) sanctioned the Provincial Association of Driving Schools of Sevilla (Resolution [S/03/2016](#)), the Regional Association of Driving Schools of Campo de Gibraltar ([Resolution S/01/2017](#)), and 38 driving schools in Córdoba ([Resolution S/10/2021](#)); the Autoridad Catalana de la Competencia (ACCO) sanctioned 18 driving schools in Terrassa ([file no.](#)

⁵ The *Autorité de la Concurrence* (AdIC) considered that "The very fact of maintaining the intermediation of driving schools introduces biases likely to distort competition [...]. Consequently, only the complete disintermediation of the examination application system will allow competition to operate freely in the driver training market, enable the emergence of new, potentially less costly training models and ensure that applicants are not treated unequally." (AdIC, 2016)

- [60/2014](#)); and the Consejo Vasco de la Competencia (CVC) sanctioned 4 driving schools in Mondragón ([file no. 224-SAN-2017](#)).
2. **Exchange of sensitive information between competitors.** The CDCA sanctioned 39 driving schools in Huelva ([Resolution S/10/2019](#)) that shared information related to the prices of obtaining the B licence.
 3. **Denial of access to essential assets and denial of market entry.** In 2011, the ACCO sanctioned ([file no. 23/2010](#)) the Federation of Driving Schools of Barcelona (FAB) and the Association of Driving School Entrepreneurs of Vilafranca del Penedès Area for forcing them to register with the Association and the Federation (paying the corresponding fees) in order to be able to access the Vilafranca del Penedès driving practice grounds, as well as for unjustifiably increasing association fees. In 2015, the ACCO again sanctioned ([file no. V-23/2010](#)) the Association of Driving School Entrepreneurs of the Vilafranca del Penedès Area for failure to comply with its obligation to establish access fees representative of the costs assumed by the association. Likewise, the CDCA sanctioned the Provincial Association of Driving Schools of Sevilla ([Resolution S/03/2016](#)) for a conduct consisting in the denial of access to the practice grounds controlled by the Association to those driving schools that, in its opinion, were not complying with a price-fixing agreement.
 4. **Market sharing.** Finally, the CNMC ([SAMAD/06/18](#)) and the ACCO ([file no. 81/2016](#)) investigated several provincial driving school associations and the Provincial Traffic Authorities of Madrid and Catalonia for agreements reached between the traffic authorities and the corresponding associations for the allocation of the available examination capacity among the different driving schools. Both procedures were concluded in a conventional manner after the unilateral adoption by the DGT of a new system for the allocation of examination capacity.

As regards **international antitrust** cases, the sanctioned conduct has normally consisted, as in Spain, of price-fixing agreements or collective price recommendations. Examples can be found in [Austria \(2008\)](#), [Belgium \(2008\)](#), [Greece \(2013\)](#), [Portugal \(2011, 2017\)](#) or [Lithuania \(2018\)](#).

3. LEGAL FRAMEWORK

3.1. Overview

The object of this study is the provision of training services for driving road transport vehicles⁶. In Spain, the driving of motor vehicles is subject to an administrative authorisation regime. In other words, in order to drive a vehicle, it is necessary to be in possession of a driver's permit or licence. In some cases, such as the transport of goods or people in heavy vehicles or when transporting dangerous goods, an additional specific authorisation must also be obtained.

On the other hand, in Spain there has been a points-based driving licence since 2006, which aims to encourage behaviour that respects traffic rules. Points can be obtained by the passage of time without committing traffic offences and by taking one of the courses regulated for this purpose.

Due to the impact that driving motor vehicles has on road safety, the administration reserves the right to decide who can do it. To this end, obtaining driving licences is conditional on compliance with certain requirements established in the regulation, including passing a series of tests aimed at ensuring that the applicants have the knowledge and skills necessary to drive vehicles safely for themselves and for other road users.

In addition to the tests for obtaining driving licences, the training necessary for their preparation is also regulated in its content and means of exercise. In particular, driver training services can only be provided by entities authorised by the administration, and the staff of the centres (instructors and managers) must meet certain professional qualification requirements, which sometimes includes having followed certain training programmes in authorized training centres (training centres for trainers).

Table 1 summarises the set of driver training activities that are examined in this study.

⁶ Vehicles equipped with an engine for propulsion suitable for circulation on urban and interurban public roads, in accordance with the definition in Annex I of the Traffic Law. Thus, training in other modes of transport, such as air or sea, is not analysed.

Table 1. Regulated activities in the driver training system in Spain

Regulated activity	Course classes	Authorized centres
Training for obtaining driving permits or licences	N.A. ¹ A licence courses.	Driving schools
Point recovery Training	Road safety awareness and re-education courses	Road safety awareness and re-education centres
	Safe and Efficient Driving Courses ²	Safe and efficient driving centers ²
Training for obtaining special permits	CPC courses for professional transport in heavy vehicles (initial qualification and periodic renewals)	CPC Centres
	ADR courses for the transport of dangerous goods (initial training and periodic refreshers)	ADR Centres

Source: Authors. Notes: ¹ With the exception of the training for access to the A licence, the content of the training given by the driving schools is not regulated (only the content of the tests for obtaining the licence is regulated). ² The safe and efficient driving courses are pending for their entry into operation of a regulatory development that has not yet taken place.

This section summarises the legislation applicable to the sector. The following can be highlighted:

- At the European level, the [Directive 2006/126/EC](#), on driving licences. It harmonises the minimum conditions governing driving licences in the EU, such as issuing rules, mutual recognition of licences, minimum categories and ages, etc.
- At the national level, the regulation of the activity of driving schools and driving education is included in three pieces of legislation:
 1. The **Traffic Law**, approved by the [Royal Legislative Decree 6/2015](#), which approves the revised text of the Law on Traffic, Circulation of Motor Vehicles and Road Safety. It contains the basic legal framework for driving licences.
 2. The [Royal Decree 818/2009](#), which approves the **General Regulation for Drivers**. It develops the Traffic Law on driving licences and tests for their issuance, and on driving training.
 3. The [Royal Decree 1295/2003](#), which approves the **Regulation on driving schools**. It establishes the rules that govern the activity of driving schools.

Special permits that allow the professional exercise of the transport of people and goods in heavy vehicles (Certificates of Professional Competence, **CPC**) and the driving of vehicles transporting dangerous goods (**ADR permits**) are also examined. Their basic regulation is:

1. CAP: at EU level it is governed by the provisions of **Directive (EU) 2022/2561**⁷. At the national level, by **Royal Decree 284/2021**⁸.
2. ADR permit: they are based on the international treaty "Agreement concerning the International Carriage of Dangerous Goods by Road" (**ADR Agreement**). At the national level, they are regulated by the "**Order on ADR training**"⁹.

The main elements of the regulation are described below.

3.2. Driving licences

3.2.1. European Union legislation

Due to its implications for the freedom of movement and establishment of persons and for road safety, EU legislation regulates driving licences. Thus, in order to ensure the validity of licences throughout the Union and the observance of minimum security standards, Directive 2006/126/EC harmonises the categories of licences, the minimum ages and periods of validity, the rules on the exchange, withdrawal and recognition of licences, and the content and physical characteristics of the driving licence¹⁰.

In relation to the tests required, the Directive obliges Member States to make the issuance of driving licences conditional on compliance with certain medical criteria, on the passing of a knowledge test and, subsequently, a test for the

⁷ [Directive \(EU\) 2022/2561](#) of the European Parliament and of the Council of 14 December 2022 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers.

⁸ [Royal Decree 284/2021](#), of 20 April, which regulates the initial qualification and periodic training of drivers of certain road vehicles and which amends the Regulation of the Law on the Management of Land Transport, approved by Royal Decree 1211/1990, of 28 September.

⁹ [Order of 18 June 1998](#) which regulates the training courses for drivers of vehicles transporting dangerous goods and the training centres that may provide them.

¹⁰ The directive is under review. In 2023, the European Commission presented a proposal for a new [Driving Licence Directive](#), in order to remove obstacles to the free movement of people and unnecessary procedures, as well as to strengthen road safety. Among the novelties is the possibility of obtaining B and C licences at the age of 17 under a system of accompanied driving and a mandatory probationary period of 2 years under stricter rules.

control of aptitude and behaviour (art. 7 of Directive 2006/126/EC), in accordance with minimum rules¹¹.

Article 10 of the Directive also states that driving tests examiners must comply with the rules set out in Annex IV. Among other things, they must pass initial training and undergo periodic training regularly. In any case, the management of driving tests must be controlled and supervised by a body authorised by the Member State.

However, **driving training is not harmonized.**

3.2.2. National legislation

In Spain, the Traffic Law establishes that **the driving of motor vehicles and mopeds requires previously obtaining a driving permit or licence**, the purpose of which is to prove that the driver meets the necessary capacity, knowledge and skill requirements (art. 61.1 of said Law). Thus, driving permits and licences issuance and content are regulated, as provided for in the General Regulation for Drivers¹².

3.2.2.1. Driving licence tests

Obtaining a driving licence generally requires passing three tests (art. 43 of the General Regulation for Drivers)¹³:

1. **Psychophysical aptitude test.** Its purpose is to ensure that there is no illness or disability that prevents driving. It must be carried out before the tests for the initial obtaining of the permit or licence and at each renewal¹⁴. They must be carried out by **authorised medical examination centres**,

¹¹ Annex II to Directive 2006/126/EC sets out the requirements and minimum content for knowledge tests and aptitude and behaviour tests, while Annex III sets out the minimum standards for physical and mental fitness.

¹² The General Regulation for Drivers reserve the term "licence" for authorisations to drive vehicles for persons with reduced mobility and special agricultural vehicles (art. 6), while "permit" refers to the rest (art. 4), except for the "special authorisation" to drive vehicles transporting dangerous goods (art. 25). The General Regulation for Drivers also regulate the validity in Spain of licences issued abroad, as well as their eventual exchange for an equivalent Spanish licence.

¹³ Annex V of the General Regulation for Drivers details the tests for the application of each category of driving licence. Article 5 of the General Regulation for Drivers establishes a series of special conditions for the issuance of certain licences.

¹⁴ Drivers are divided into two groups. Group 1: holders or applicants for AM, A1, A2, A, B or B+E licences. Group 2: holders or applicants for licences C1, C1+E, C, C+E, D1, D1+E, D or D+E, as well as driving training professionals. Group 2 is subject to more stringent medical requirements. The psychophysical aptitudes for obtaining or renewing licences are found in Annex IV of the General Regulation for Drivers.

regulated by Royal Decree 170/2010¹⁵. In order to operate, they must be authorized by the corresponding health authority and must have a resolution from the Provincial Traffic Authority certifying that they have the required personal and material means¹⁶.

2. **Knowledge control test** (theory test). It must be done during the initial obtaining of the permit or licence. It includes a knowledge control test common to all licences and a specific knowledge test, which are carried out in accordance with the rules and contents provided for in the General Regulation for Drivers¹⁷. In this case, the intervention of any specialized centre is not required. In other words, it is possible to take the exam "on your own", without the need to have received formal training. The Traffic Law (3rd ter. additional provision) allows mandatory awareness and sensitization courses to be established by regulation, although they are not currently approved.
3. **Aptitude and behaviour control test** (driving test). It must be done during the initial obtaining of the permit or driver's licence. It comprises a test on a closed circuit and a driving test on roads open to general traffic¹⁸. To be admitted to the tests on open roads, it is generally required that the applicant has completed his training at an authorized driving school¹⁹. In other words, there is a **reserve of activity in favour of driving schools** on driving training to take the driving tests.

As an exception, lay instruction is allowed by obtaining a **learner's permit** (art. 62.3 of the Traffic Law and art. 41.4 of the General Regulation for

¹⁵ [Royal Decree 170/2010](#), of 19 February, approving the Regulation of examination centres for verifying the psychophysical aptitudes of drivers.

¹⁶ Art. 2 of R.D. 170/2010. The personal elements include a head, a director (and a medical director, in the event that the director of the centre does not meet the status of doctor), and a team made up of the doctors necessary for the taking of evidence (arts. 4 et seq. of R.D. 170/2010). The material elements include a premises, material for carrying out the examinations and computer equipment with internet access (art. 9 of R.D. 170/2010).

¹⁷ Annex V. A) indicates the tests for each category of permit, while Annex V. B).1. and 2. regulates the content of each of the tests. In Annex VI. B) the duration and grading criteria of the knowledge control tests are detailed.

¹⁸ Annex V. A) of the General Regulation for Drivers indicates the tests for each category of licence, while Annex V. B). 3. and 4. regulates the content of each of the tests. In Annex VI. C) the duration, characteristics and evaluation criteria of the aptitude and behaviour control tests are detailed.

¹⁹ Art. 41.2 of the General Regulation for Drivers and art. 62.1 of the Traffic Law. This obligation does not apply to those who already have a licence of equivalent or higher category than the one to be obtained and neither to the examining staff of the aptitude and behaviour control tests (arts. 41.2 and 3 of the General Regulation for Drivers). Students of the "Degree in Higher Technician in Training for Safe and Sustainable Mobility" are also not obliged to receive training in a driving school, and can take the exam directly after having completed the corresponding training modules (art. 41.5 of the General Regulation for Drivers).

Drivers). This learner's permit is regulated by the [Order of 29 July 1981](#) regulating the learner's permit to drive, and its granting is only for obtaining category B licences, under restrictive conditions. Among other things, the accompanying person must be a holder of a category B licence for more than five years and carry out their activity free of charge. The vehicles must be registered in the name of the lay instructor or the apprentice, be marked as a practice vehicle with the corresponding plate stamped by the Provincial Traffic Authority and have double brake and clutch pedals. Vehicles may not be used simultaneously by more than one apprentice during the period of validity of the learner's permit and proof must be provided that the vehicle's insurer has been informed of its use as a learning vehicle. There are limitations on maximum speed and on circulation²⁰, and the learner's permit is valid for a maximum of 8 months.

As an exception to the above, in order to obtain an **A licence** (which allows the driving of motorcycles and tricycles without power limit) it is required to have an A2 licence with a minimum of 2 years of experience and receive specific training (art. 5.4 of the General Regulation for Drivers), without the need to pass an exam. The courses for obtaining A licences are regulated in Order INT/2323/2011²¹. In turn, practical training includes manoeuvres on a closed circuit and circulation on roads open to traffic (art. 2.2 of Order INT/2323/2011). The courses can only be taught by authorised driving schools (art. 3 of Order INT/2323/2011),²² and their holding is conditional on prior notification to the Provincial Traffic Authority corresponding to their place of realization (art. 4 of Order INT/2323/2011). After completing the course, the driving school must issue to the students and to the Provincial Traffic Authority a certificate of achievement, which the students can then present to the traffic authorities to obtain the A licence (art. 5 of Order INT/2323/2011).

²⁰ Practices are not allowed on motorways and intercity roads on holidays or the eve of holidays.

²¹ [Order INT/2323/2011](#), which regulates training for progressive access to category A driving licences. A Draft Ministerial Order that modifies this Order has been proposed, updating the content of the courses, extending the duration of driving practices and restricting the characteristics of the vehicles used in training.

²² The possibility of authorising training centres other than driving schools to carry out these courses is expressly provided for by regulation (art. 3 of Order INT/2323/2011), but such regulatory development has not taken place.

3.2.2.2. *How the exams work*

The DGT is responsible for issuing and reviewing permits and licences (arts. 5.a) and 6.1 of the Traffic Law)²³. To do this, the applicants must send their request to the corresponding Provincial Traffic Authority. The latter is responsible for the processing of the request and for conducting the theory and driving tests²⁴.

The tests are consecutive and eliminatory²⁵. They are classified as "pass" or "fail", and the declaration of aptitude is valid for two years (art. 53.1 of the General Regulation for Drivers). Each application for a driving licence entitles the candidate to 2 calls. If a result of "fail" is obtained for the second time in any of the tests, a renewal of the application is necessary, which requires the payment of the corresponding fee to the DGT again. In addition, a minimum period of 10 days must elapse between the second and third calls, and 15 days between additional calls (Annex VI A) of the General Regulation for Drivers). The tests are carried out in the province in which the application has been made and at the examination centre determined by the Provincial Traffic Authority, taking into account the possibilities of the service (art. 50 of the General Regulation for Drivers). The date of the tests will be set by the Provincial Traffic Authority, at the request of the applicant (art. 51.1 of the General Regulation for Drivers).

The examination staff of the tests is subject to the control and supervision of the DGT. The requirements for the exercise as examiner are regulated in Annex VIII of the General Regulation for Drivers (in line with the provisions of Directive 2006/126/EC) and include the completion of an initial training programme established by the DGT, as well as the completion of periodic training²⁶. In practice, the examination staff is made up of public employees of the DGT.

3.2.2.3. *Rules for the allocation of examination capacity*

The ability of traffic authorities to carry out examinations for obtaining driving licences is limited by the material and human resources at their disposal. In the

²³ The DGT exercises the functions of the traffic authority in Spain. It is structured territorially into 50 Provincial Delegations, 2 Local Delegations (Ceuta and Melilla) and 16 Municipal Offices.

²⁴ Except for the psychophysical aptitude test, which is done by medical examination centres and must be incorporated into the initial application (Annex III of the General Regulation for Drivers).

²⁵ Art. 53.1 of the General Regulation for Drivers. As an exception, for category B licences it is possible to carry out simultaneous tests to control skills and behaviour on closed circuit and on roads open to traffic (art. 58.1 of the General Regulation for Drivers).

²⁶ Annex VIII. E) of the General Regulation for Drivers provides for the possibility for examiners to obtain driving licences other than category B, in order to be able to evaluate the corresponding tests, by taking *ad hoc* theoretical and practical training carried out by the DGT.

event that the demand is greater than the capacity to carry out examinations, it will be necessary to establish some rule for the distribution of the available capacity. In accordance with article 51.1 of the General Regulation for Drivers, the Provincial Traffic Authorities are responsible for "*the organisation and regulation of the aptitude tests in each of the examination centres. This power, which reaches the allocation of the capacity for aptitude tests in behaviour and roads open to traffic [...]*". However, the rules for the allocation of examination capacity for the road test on roads open to traffic have been the subject of several reforms and challenges in recent years (see Box 1)²⁷.

Box 1

Evolution of the rules for the allocation of examination capacity

After the approval of the General Regulation for Drivers of 1997 (R.D. 722/1997) a **fixed quota of students per teacher**²⁸ was established. For each cycle of exams (the duration of the cycles was established by each Provincial Traffic Authority), the capacity was distributed equally among all the driving school instructors in proportion to the time dedicated to teaching by each of them, with an upper limit of four students per cycle. Likewise, an upper limit of eight students who could take exams each week using the same vehicle was established. This system was annulled by the Supreme Court in 2005 ([STS 7245/2005](#)), after considering that the establishment of a generic and absolute limitation (per teacher and per vehicle) to the possibility of presenting students for the exam exceeded the regulatory authorization to set the exam dates "according to the possibilities of the service".

After that annulment, the DGT adopted a system of **sequential organization**²⁹. The driving schools would be ordered according to their registration number, and the exams would be carried out in that order: first those of the oldest driving school, then those of the next, and so on. However, the sequential organisation of the exams made it impossible for driving schools to know in advance, even approximately, the dates of the exams, because each driving school cannot know how many applications those that precede it are going to submit. For this reason, many driving schools chose to submit applications for all students in a position to take the aptitude control exam (i.e. students who passed the theory exam or the closed-circuit skill test), cancelling them at a later time. This resulted in an inefficient use of the available examination capacity, as in some cases exam dates vacant due to the cancellation of an application could not be covered by students from other driving schools, for example because they were known at short notice.

²⁷ An overview of the different systems for the allocation of examination capacity available in the [STSJ M 9765/2022](#), which declares the nullity of Instruction 2020/C-136, of the Director General of Traffic, regarding the distribution of the capacity for aptitude and behaviour tests in circulation on open roads.

²⁸ Approved by the Order of the Ministry of the Interior of 4 December 2000, which develops Chapter III of Title II of the General Regulation for Drivers.

²⁹ Approved by the Director General of Traffic through Instruction 08/C-91 of 13 October 2008, and subsequently Instruction 09/C-93 of 8 July 2009.

On the other hand, the sequential accumulation of applications implied the absence of a regular examination "cycle". Depending on the number of applications and exam capacity, the allocation of dates to each driving school could take place at any time of the year. Driving schools usually want to take more exams during holiday periods, because the number of people starting to prepare for driving licence tests increases, but this system does not guarantee that driving schools will have exam dates at times of peak demand.

As a result of these problems, some provincial associations of driving schools belonging to the National Confederation of Driving Schools (CNAE), the largest association of driving schools in Spain, agreed with their respective Provincial Traffic Authorities to adopt other systems based on a fixed exam calendar and a cycle of exams of a certain duration. In the provinces of Madrid, Barcelona, Tarragona, Gerona and Lérida, systems of **maximum quota of students per teacher** were recovered (in Madrid daily limits were established, while in the Catalan provinces limits were established per exam cycle). Unlike the quotas that were in force until 2005, these limits did not have regulatory coverage, but were established through informative notes distributed among the driving schools in the region, which reflected the agreements between the Provincial Traffic Authorities and the corresponding driving school associations. In principle, this made it possible to adjust the quotas according to the demand or the capacity of exams at any given time³⁰.

These mechanisms were the subject of complaints to the competition authorities, as they were agreements reached within certain driving school associations and subsequently adopted by the Provincial Traffic Authorities³¹. In view of the complaints, the DGT presented commitments for a conventional termination of the procedures, consisting of the adoption of the so-called **CAPA System** (Aptitude Test Capacity). This system began to be implemented in 2018 as a pilot project in selected provinces and was adopted at national level in 2020³². However, the CAPA System was annulled in 2022 by the High Court of Justice of Madrid ([STSJ M 9765/2022](#)), following a challenge made by several driving school associations, on the grounds that it contains provisions that go beyond the mere organisation of the exams and therefore exceed the organisational powers that the General Regulation for Drivers attribute to the DGT.

Finally, the DGT has chosen to maintain the CAPA System, which is currently in force, giving it the necessary regulatory status. To this end, the General Regulation for Drivers has been

³⁰ For example, in Barcelona driving schools were allowed to present a maximum of three students per teacher, plus a fourth reservation request in case there was more capacity.

³¹ In 2016, a driving school filed a complaint with the Madrid regional administration against the Provincial Association of Driving Schools of Madrid (APAMAD, belonging to CNAE) and the Provincial Traffic Authority of Madrid for collusive practices. In Catalonia, in 2016 a driving school and a private individual filed a complaint with the ACCO against the Provincial Association of Driving Schools of Tarragona (belonging to CNAE) and the Provincial Traffic Authority of Tarragona. The ACCO initiated antitrust proceedings also including the Association of Driving Schools of the Region of Gerona, the Federation of Driving Schools of Barcelona and the Provincial Association of Driving Schools of Lérida (all members of CNAE), as well as the Provincial Traffic Authorities of the four provinces. (CNMC, 2020) (ACCO, 2019)

³² Instruction 2020/C-136, of the Director General of Traffic, of 29 January 2020. The CAPA system was analysed by the Secretariat of the Market Unity Council (SECUM) on the occasion of the [File 28/19007](#) considering that this system *"is in accordance with the principle of necessity and proportionality of Article 5 of the LGUM, insofar as it addresses the need to guarantee the provision of a public service to citizens with the available means and is based on objective, equitable and proportionate criteria"*.

reformed and a new Annex IX has been added, through R.D. 1010/2023³³, which establishes the basic rules of operation of the system (the CNMC reported on the Draft Regulation in [IPN/CNMC/012/23](#)).

Currently, the allocation of capacity is carried out through the **CAPA System**, regulated in Annex IX of the General Regulation for Drivers. For each exam centre, the system assigns the examination times for the driving test according to dates distributed over an exam cycle. It is based on three main elements:

1. The exam cycle. The exam cycle is the period during which the exam capacity and the demand of driving schools are calculated. The duration of each cycle is determined by each Provincial Traffic Authority, although it may not be less than 5 working days or more than 15. In each cycle, each driving school will have right to at least one exam.
2. Determination of examination capacity. The examination capacity in each cycle is calculated based on the number of examiners who are available each day, the duration of their working day and the number of tests that an examiner performs each day according to the durations established by the DGT for the exams of each licence category.

The exam capacity is expressed in minutes, since the tests for the different permits have different durations. Thus, in licences A and B it is 30 minutes, compared to 50 minutes in licences C and D.

3. Allocation of capacity between driving schools. The distribution is based on the number of students from each driving school pending to pass the road test, regardless of the type of licence (the so-called "student pool"). Pending students are those who are listed as assigned to the driving school in the Drivers' Registry and who have passed the previous test (theoretical or skill, depending on the category of licence) in the last two years³⁴.

This distribution criterion means that driving schools with fewer students who pass the road test have more students waiting to pass the test. To avoid favouring driving schools with higher failure rates by assigning them a higher proportion of the available capacity, the CAPA System includes a correction factor. The correction factor compares the pass rate of each driving school with the average percentage of the test centre, increasing

³³ [Royal Decree 1010/2023](#), of 5 December, amending the Regulation governing private driving schools, approved by Royal Decree 1295/2003; and the General Regulation for Drivers, approved by R. D. 818/2009.

³⁴ Since the declaration of aptitude in a test is valid for two years (art. 53.1 of the General Regulation for Drivers). In other words, all those students who are in a position to take the driving test are counted.

the capacity assigned to driving schools with a higher pass rate and decreasing those of driving schools with a lower rate. The correction factor is updated periodically to reflect possible changes in pass rates over time.

Apart from the above, for licences corresponding to professional vehicles (categories C1, C1+E, C, C+E, D1, D1+E, D, and D+E) the Provincial Traffic Authorities can extend the examination capacity specifically assigned to students of these licences, in order to facilitate the incorporation of new professional drivers into the labour market.

Taking into account these three elements, driving schools must communicate to the Provincial Authority the number of students they wish to take the exam in the corresponding cycle. Those who exceed the assigned capacity are not called. In the event that some driving schools demand a number of exams lower than their assigned capacity, and to prevent part of the capacity from being left unused, the distribution of the surplus is done through a reserve system. Reserves are allocated among driving schools that have requested a higher number of exams than initially assigned.

3.3. Driving school activity

The impact of driver training on road safety justifies its subjection to its own regime of requirements and obligations, in accordance with the principles of necessity and proportionality of public actions³⁵. In Spain, this activity is regulated in R.D. 1295/2003, which approves the **Driving Schools Regulation**, which contains provisions relating to the opening requirements, the minimum means and the organization of training. Its main elements are discussed below.

3.3.1. Opening authorization

The exercise of the activity of driving schools **requires a prior opening authorization**, issued by the Ministry of the Interior through the Traffic Authority of the corresponding territory (art. 62.1 of the Traffic Law and art. 20 of the Driving Schools Regulation). To do this, the owner of the driving school or his representative must send a request to the Provincial Traffic Authority that proves that they have the minimum personal and material means required by the regulations (art. 21 of the Driving Schools Regulation). Once the application has been examined, the Provincial Traffic Authority will issue, if applicable, the

³⁵ According to art. 62.2 of the Traffic Law: "*In order to guarantee road safety, the minimum personal and material elements for the training and recognition of drivers will be regulated, following the rules on free access to service activities and their exercise*". The teaching and operating regime of training centres, and the qualification and accreditation of teachers and directors will also be regulated.

opening authorisation, which will indicate the licences for which the driving school is authorised to teach (art. 22.2 of the Driving Schools Regulation).

The opening authorisation allows the driving school to carry out its training activity, as long as it comprises only the categories included in it and the driving school has the minimum material and personal means to do so. Likewise, the authorization allows the driving school to present students to the aptitude tests at the examination centre designated by the Provincial Authority (art. 23 of the Driving Schools Regulation).

Exceptionally, students may take the exam in a different province. To this end, the driving school must prove transport difficulties or other circumstances that make it advisable and must request a specific authorisation from the DGT, which may or may not grant it, taking into account, in particular, the capacity of the destination Provincial Traffic Authority to absorb the increase in the number of students. Authorisations to present students in different provinces will have a duration of one year, extendable for successive periods of one year provided that the circumstances that motivated the initial concession are maintained (art. 27 of the Driving Schools Regulation).

Once granted, the opening authorisations are valid throughout the Spanish territory and enable the holder to freely open new training centres (called **subsidiaries**) anywhere, after notifying the Register of Driver Training Centres. The communication must be accompanied by a statement of compliance from the owner of the driving school in which it is affirmed, in particular, that the section or branch has the same minimum personal and material means as those required of the main headquarters (art. 22.3 of the Driving Schools Regulation). However, it is permitted that the personal and material resources are common between the headquarters and the subsidiaries (art. 23.4 of the Driving Schools Regulation).

Finally, the opening authorisation is personal in nature and expires with the death or resignation of the owner, transfer of the company or suspension of activities for more than one year (art. 26.1 of the Driving Schools Regulation).

3.3.2. Material resources

The Driving Schools Regulation require that the driving school and each of its subsidiaries have the following **minimum material means**:

1. **Premises** (art. 13 of the Driving Schools Regulation). It is not required that the premises meet special conditions, apart from a reference to "*the requirements demanded by current regulations*". The Regulation establishes that "*theory classes may only be taught in premises that have*

the corresponding municipal accreditation", although in practice this does not prevent classes from being taught electronically³⁶.

2. **A vehicle** of the category corresponding to each type of driving licence for which it is authorised to teach (art. 15 of the Driving Schools Regulation). They must meet certain technical requirements (double controls, double mirrors, etc.), be identified as practice vehicles and carry a sign or inscriptions on which the name of the driving school appears³⁷. In addition, vehicles must be owned by the owner of the driving school, or used under a long-term lease or a lease with a purchase option (see Box 2). As an exception, for vehicles dedicated to the teaching of licences of categories B+E, C1, C1+E, C, C+E, D1, D1+E, D, and D+E, their shared use by several driving schools with the same or different ownership is allowed, after notifying the group for the shared use of vehicles to the corresponding Provincial Traffic Authority (art. 17 of the Driving Schools Regulation). Vehicles owned by the students themselves are also exceptionally allowed³⁸.

Box 2

Rules on the ownership of driving school vehicles

Article 15.1 of the Driving School Regulation indicates that driving schools may dispose of the vehicles by ownership or by another title. However, Article 16 establishes, among the requirements that vehicles must meet, that they have to "*be registered in the name of the owner of the school*".

The rules on vehicle ownership are set out in the General Vehicle Regulation³⁹. The ownership of vehicles is registered in the Vehicle Registry and coincides with the ownership of the vehicle's registration certificate. In this sense, at the time of putting vehicles into circulation, the registration and issuance of the registration certificate can only be requested by the owner, the lessee with an option to purchase or the long-term lessee of the vehicle (art. 28.1 of the General Vehicle Regulation). Subsequently, it is possible to modify the ownership of the vehicles, in accordance with the rules of Chapter III of Title IV (arts. 31 et seq.) and Annex XIV of the

³⁶ The CNMC (Report [UM/042/14](#)) and SECUM (File [No. 28/14026](#)) evaluated unfavourably an information note from the DGT that rejected the granting of opening authorisations to driving schools with an *online* theoretical training model, considering it disproportionate and lacking sufficient legal basis.

³⁷ The requirements are detailed in Annex VII of the General Regulation for Drivers. Identification as a practice vehicle is made by means of the "V-14" license plate, regulated in Annex XI of R.D. 2822/1998, which approves the General Vehicle Regulation. Obtaining a "V-14" license plate requires the prior obtaining of a positive inspection report of the vehicle, issued by the DGT after a technical examination.

³⁸ Only in the case of vehicles for disabled persons, vehicles adapted to the deficiencies of their driver, or tractors and agricultural machinery (art. 18 of the Driving Schools Regulation).

³⁹ [R.D. 2822/1998](#), of 23 December, approving the General Vehicle Regulation.

General Vehicle Regulation. However, changes in the ownership of vehicles only appear to be possible in cases of transfer of ownership or the creation of leases with an option to purchase or long-term leases⁴⁰. That is to say, although the Driving School Regulation does not require that the right to dispose of vehicles is held by virtue of a specific title, the requirement that the vehicles be "*in the name of the owner of the school*" may in practice limit this freedom, since the vehicles can only be in the name of their owner, long-term lessee or lease with an option to purchase.

3. **Practice grounds** for closed-circuit practices (art. 14 of the Driving School Regulation). The driving school must only prove the ability to use suitable grounds, which may be for exclusive or shared use. For the preparation of category AM, A1, A2, A or B licences, a municipal authorisation is also allowed to carry out the practices in urban areas suitable for this purpose (art. 14.2 of the Driving School Regulation)⁴¹.
4. **Other material means**. The driving school must have the necessary teaching material to teach the contents required by the regulations and, for the teaching of class A1, A2 and A licences, it must also have a hands-free communication system and a car for the accompaniment of the applicant, which must also be registered in the driving school (art. 19 of the Driving School Regulation)⁴².

3.3.3. Human resources

The driving school must have the following minimum personal means:

1. **Owner**. It is the natural or legal person who has obtained an authorisation to open a driving school. It is responsible for ensuring that the driving school and its subsidiaries comply with regulations and, in particular, that they have the minimum necessary personal and material elements (arts. 4 and 5 of the Driving School Regulation).
2. **Manager**. It is responsible for planning, directing and controlling teaching, and is responsible for compliance with teaching regulations and the

⁴⁰ Annex XIV.I. and III. of the General Vehicle Regulation. It is possible to register other limitations to the power of disposal over the vehicle, although in these cases the beneficiary does not become the registered owner of the vehicle (art. 32.7 and Annex XIV.III. of the General Vehicle Regulation). Instruction 10/C-97 of the DGT expressly states that driving school vehicles must be registered in the name of their owner as owner, lessee with purchase option or long-term lessee. The [Instruction COND 2024/7](#) of the DGT clarifies the conditions for the registration of vehicles owned under long-term lease contracts.

⁴¹ As a general rule, the authorisation must be from the same municipality in which the driving school is located, unless the impossibility of obtaining it is proven, in which case an authorisation from another municipality in the same province is allowed.

⁴² To carry out the driving practices prior to the exams corresponding to these permits, the accompanying vehicle is allowed to be a motorcycle.

performance of teaching staff. Being a driving school manager requires obtaining a certificate of aptitude and an authorisation to exercise (arts. 6 and 7 of the Driving School Regulation).

3. **Instructors.** They are responsible for teaching the theoretical and practical knowledge required to obtain a driving licence, as well as ensuring traffic safety through the handling of the vehicle's dual controls. The instructors are also responsible for accompanying students during driving tests and handling the dual controls during road tests on open roads. To practice as a driving school instructor, it is necessary to obtain a certificate of aptitude and an authorisation to exercise (arts. 8 and 9 of the Driving School Regulation).

The same person is allowed to perform several functions in the same driving school or subsidiary, as long as he or she meets the necessary requirements for each of them (art. 11 of the Driving School Regulation).

3.3.4. Student registrations and files and other requirements

Driving schools must have a **register of students** (art. 39 of the Driving School Regulation). It must include a list of all the students enrolled in the driving school, indicating the start and end dates, and the result of the training. The student register must be kept for a period of four years from its last update.

They must also prepare **student records** (art. 40 of the Driving School Regulation), in accordance with an official model⁴³, reflecting all the theory and driving sessions taught, the absences from the theory classes, the date and mileage of the driving lessons, and observations and risks detected by the instructor, among other things. The students' records must be kept for a period of two years from the end of each student's training.

The DGT reserves the right to carry out **inspections** in driving schools at any time (art. 43 Driving School Regulation). In any case, an inspection will be carried out prior to the opening authorisation, when modifications are made to the practice grounds or vehicles used by the driving school and when the opening of a new branch is notified.

Finally, the completion of all the procedures and obtaining the necessary accreditations for the activity of the driving schools is done before the DGT, which requires the payment of [fees](#) for each action (registration of the driving school, registration of personnel and vehicles, issuance of certificates, notes, inspections, etc.).

⁴³ Recently, the DGT has published new models of monitoring sheets for the teaching of driving for the different licences. Available at the following [link](#).

3.3.5. Qualification and accreditation regime for instructors and managers

Driving school instructors and managers must have a specific qualification and, in addition, an authorisation to exercise⁴⁴.

3.3.5.1. Authorization to exercise

The **authorisation to exercise** (regulated in Section 3 of Chapter III of the Driving School Regulation, arts. 28 et seq.) authorises to provide managerial or teaching services in a specific driving school and in its subsidiaries. In the case of teachers, it authorizes them to teach theoretical classes of any kind, but only practical classes to obtain licences held by the instructor for more than one year. The authorisation to exercise must be requested by the owner of the driving school before the corresponding Provincial Traffic Authority, which must adopt a resolution within a month. Modifications to the exercise authorisation (e.g. to include a new driving licence) must also be requested by the owner of the driving school and authorised by the Provincial Traffic Authority.

3.3.5.2. Certificates of Aptitude

Prior to the authorization to practice, instructors and managers must obtain a qualifying title, which is called a **certificate of aptitude**⁴⁵. Its purpose is to ensure that its holder has the knowledge and skills necessary to perform the functions entrusted to him. Certificates of aptitude can only be obtained by passing specific courses, the call for which is the responsibility of the DGT⁴⁶. The courses for the certificate of aptitude for driving school instructors must be convened on an annual basis (art. 46.1 of the Driving School Regulation), while in the case of driving school manager certificates of aptitude, it is only indicated that the DGT "may" convene them, provided that the availability of sufficient professionals for the correct provision of the service is guaranteed (art. 47.1 of the Driving School Regulation).

As a prerequisite for participating in the course to obtain the **certificate of aptitude for driving school instructor**, it is required to be in possession of a Compulsory Secondary Education certificate or an Intermediate Vocational

⁴⁴ For teachers or managers established in any EU State, the freedom to provide services is admitted, as long as they meet the requirements for exercising as such in their country of origin and communicate the start of their activity to the Provincial Traffic Authority at least one month in advance (additional provision 4 of the Driving School Regulation).

⁴⁵ Chapter VIII of the Driving School Regulation contains its basic regulation.

⁴⁶ The competent regional bodies of Catalonia and the Basque Country may also convene these courses, by virtue of the powers they have transferred in matters of traffic and circulation (by means of R.D. 391/1998 and R.D. 3256/1982, respectively).

Training degree, to hold a category B licence for at least two years old and to obtain a psychophysical aptitude report⁴⁷.

The courses for the certificate of aptitude for driving school instructor consist of a theoretical part and a practical part aimed at assessing the knowledge, pedagogical aptitude and practical experience of the candidates (art. 46 of the Driving School Regulation)⁴⁸. In practice, the courses are divided into a e-learning phase, with theoretical content, and an in person training phase, with theoretical and practical content. The in person training phase is organised through an administrative concession system, in centres located in various parts of Spain, and lasts approximately 10 weeks.

On the other hand, the **certificate of aptitude for manager of driving schools** only requires passing a theoretical test on the regulations governing driving schools, administrative procedures related to drivers and vehicles, and general subjects of organization and business administration⁴⁹. As a prerequisite, in order to be eligible to obtain the certificate of aptitude for a manager, it is necessary to be in possession of the certificate of aptitude for driving school teacher.

3.3.5.3. *Diploma in Safe and Sustainable Mobility Training*

Apart from the certificates of aptitude, in 2021 the **Diploma in Safe and Sustainable Mobility Training**, was created through R.D. 174/2021⁵⁰. It is a post-secondary vocational training degree, integrated into the general regime of the Spanish education system. The diploma can be taught by educational centres authorised to provide vocational training education, if they have the minimum facilities and equipment established in Annex II of R.D. 174/2021⁵¹. For their part, teachers must comply with the qualification and professional experience requirements established in art. 12 and Annex III of R.D. 174/2021.

⁴⁷ Driving school instructors are part of group 2 of drivers, in accordance with Annex IV of the General Regulation for Drivers, so they are required to meet stricter medical requirements. If they do not meet them, it is possible to obtain a certificate of aptitude limited to theory teaching (art. 41.1.c) of the Driving School Regulation).

⁴⁸ Article 48.1 of the Driving School Regulations establishes that the content of the courses and tests for the certificates of aptitude of driver training teacher and director of driving schools will be regulated by Order of the Ministry of Internal Affairs, although in practice it is established in the annual Resolutions calling the courses.

⁴⁹ The minimum content of the tests or courses for the certificates of aptitude of manager of driving schools is regulated in art. 47.2 of the Driving School Regulation. The 2023 subjects can be consulted at the following [link](#).

⁵⁰ [Royal Decree 174/2021](#), which establishes the Diploma in Safe and Sustainable Mobility Training and sets out the basic aspects of the curriculum.

⁵¹ A classroom, a closed circuit for practices and a practice area for exercises with fire, as well as the equipment and furniture necessary to teach.

For enrolment in the Diploma, the same requirements are required as for any other higher degree, which implies being in possession of the Baccalaureate degree or other qualifying title or having passed an entrance exam. Regarding the content, it has a teaching load of 2,000 hours and has a series of professional modules related to traffic and vehicles, road safety education, and road safety and first aid (arts. 2, 10 and Annex I of R.D. 174/2021). All the modules that make up the degree can be completed remotely, except for those that, due to their characteristics, involve practical training (additional provision 2 of R.D. 174/2021).

Moreover, the Diploma in Safe and Sustainable Mobility Training has a greater scope than that of the certificates of aptitude for teachers and driving school directors. It is conceived as a qualifying title, subject to express regulatory recognition, for the exercise of a wide range of professions related to driver training and mobility in general, including those of teacher and manager of driving schools, trainer in road safety awareness and re-education courses or in safe driving courses, teacher or director of ADR courses, etc.

Recently, R.D. 1010/2023 has amended the Driving School Regulation with the aim of converting this diploma into a qualification enabling the exercise as driving school instructor or manager. The explanatory memorandum to the decree indicates that it is expected that the degree will become the main route of access to the profession, replacing the current certificates of aptitude. However, in its single transitional provision, R.D. 1010/2023 specifies that the courses for obtaining the certificates of aptitude will continue to be held for at least 5 years after their entry into force (i.e. at least until 7 December 2028), after which period the convenience of abolishing them or continuing to convene them will be assessed⁵².

3.4. Special licences

This section reviews the regulations of two special administrative authorisations that enable the driving of vehicles in certain circumstances: when it comes to the professional transport of goods or passengers in heavy vehicles (CPC), or vehicles transporting dangerous goods (ADR permits).

⁵² Observing, to this end, the [R.D. 472/2021](#) of 29 June 2018 transposing Directive (EU) 2018/958 of the European Parliament and of the Council of 28 June 2018 on the proportionality test before adopting new regulations on professions.

3.4.1. Certificate of Professional Competence (CPC)

The **Certificates of Professional Competence (CPC)** are the qualifications for the **professional exercise of activities of transport of goods or people in heavy vehicles** (corresponding to the licences of groups C and D). Obtaining the CPC requires the completion of an initial training and its maintenance is subject to the completion of periodic courses. The CPC is a separate qualification from the driving licence. In other words, in order to carry out professional transport activities, it is required to be in possession of the CPC and, in addition, the driving licence of the categories of vehicles that are necessary in each case.

Due to the impact of professional transport on the functioning of the European Single Market, as well as its implications for road safety, the basic functioning of the CPC is harmonised at EU level. Specifically, its basic rules are set out in Directive (EU) 2022/2561, which regulates, among other things, the activities for which it is necessary to be in possession of the CPC, the minimum qualification requirements for its issuance and the minimum criteria that must be followed by national authorities for the authorisation of centres that provide training and to carry out the corresponding exams. In Spain, the basic regulation of the CPC is found in R.D. 284/2021.

3.4.1.1. *Requirements for obtaining the CPC*

In Spain, the **initial acquisition of the CPC** is subject to compulsory training in authorised centres and subsequent passing of an exam. The compulsory initial qualification can be done through an ordinary modality or an accelerated modality. In both cases, it is foreseen that the training will have practical content and will be taught through in person classes (art. 4 of R.D. 284/2021). However, Additional Provision 9 of R.D. 284/2021 expressly contemplates the possibility that part of the training may be given by telematic means that guarantee adequate control, following regulatory development that specifies the contents and conditions of the e-learning⁵³.

- The **ordinary modality** of qualification consists of a 280-hour course on the subjects provided for in Annex I.A) of R.D. 284/2021 (art. 5.1 of R.D. 284/2021)⁵⁴. The subjects are divided into compulsory training common to all licences and specific training for group C or D licences, which in turn is divided into compulsory training and complementary training. The duration

⁵³ In 2022, the Ministry of Transport and Sustainable Mobility (Ministerio de Transportes y Movilidad Sostenible, MTMS) carried out a public consultation on a draft Order regulating the conditions of e-learning in CPC courses, but at the time of completion of this study, no regulation has yet been approved in this regard.

⁵⁴ This is the minimum duration of the courses in accordance with Directive (EU) 2022/2561.

and content of each block and the modules that make them up are regulated.

Complementary training includes modules related to the transport of dangerous goods (only in the case of specific training for group C permits) and road safety awareness and re-education. In fact, Additional Provision 1 of R.D. 284/2021 allows the training received in the context of the initial qualification to obtain the CPC to also be used to simultaneously obtain the authorisation to drive vehicles transporting dangerous goods (ADR licence). In the case of the modules on road safety awareness and re-education, they also serve to recover points on the driving licence in the terms provided for in Annex III of the Traffic Law and its implementing regulations⁵⁵.

- On the other hand, the **accelerated modality** of initial qualification consists of a course with a duration of at least 140 hours (art. 6.1 of R.D. 284/2021)⁵⁶. The subjects covered by the course are the same as in the case of the ordinary initial qualification, with the difference that the modules corresponding to the common and specific compulsory training have a shorter duration.

Once the initial training has been completed, the teaching director of the course or his representative must issue a certificate of achievement and communicate it to the competent administration (art. 12.3 of R.D. 284/2021). Passing the course is noted in the Register of Transport Companies and Activities⁵⁷ and gives the right to take the exams to obtain the CPC⁵⁸.

Otherwise, according to Additional Provision 3 of R.D. 284/2021, the driver training courses given by the Armed Forces, the Police and the Guardia Civil for their personnel are considered equivalent to the completion of the compulsory initial qualification, and allow direct sit for the exam. The same applies to the certificates of professionalism for "Driving buses" or "Driving heavy road goods transport vehicles" provided for in R.D. 1539/2011⁵⁹.

⁵⁵ However, the completion of the modules on road safety awareness and re-education does not allow the recovery of the driving licence in the event of loss of validity due to traffic offences.

⁵⁶ Minimum duration provided for in Directive (EU) 2022/2561 for this type of initial qualification.

⁵⁷ The Register of Transport Companies and Activities is regulated in article 53 of Law 16/1987, on the Regulation of Land Transport, and in its implementing regulations.

⁵⁸ The exam must be taken within one year of the end of the course (art. 16.1 of R.D. 284/2021). The test consists of 100 questions, 75 on the common compulsory training and 25 on the specific training for each permit (Section 1.^ª.1 of Annex V of R.D. 284/2021).

⁵⁹ [Royal Decree 1539/2011](#), of 31 October, establishing seven certificates of professionalism of the professional family Transport and maintenance of vehicles that are included in the National Directory of certificates of professionalism.

The exams are organised by the Autonomous Communities (art. 17 of R.D. 284/2021)⁶⁰. Candidates for the CPC may take the exams organised by any Autonomous Community, regardless of their place of residence and the place of completion of the initial training course (art. 18 of R.D. 284/2021). At least, the Autonomous Communities must hold 6 CPC exam sessions per year (art. 17 of R.D. 284/2021). The exam consists of a test on the subjects that are part of the content of the compulsory training of the initial qualification course.

Once the test has been passed, the CPC is obtained, which will be registered in the Register of Transport Companies and Activities (arts. 17, 19 and Annex V of R.D. 284/2021). At the same time, the Driver's Qualification Card (**CPC Card**) will be issued, which is the physical document that proves possession of the CPC (art. 20 of R.D. 284/2021). As an alternative, the CPC will also be issued to those who obtain the Title of Technician in Driving Road Transport Vehicles, established by Royal Decree 555/2012⁶¹.

Once obtained, the CPC is valid for 5 years, extendable for additional periods of 5 years after completion of a 35-hour **continuous training course** in an authorised centre⁶² on the subjects set out in Annex I.B) of R.D. 284/2021. As in the case of the initial qualification, there are modules related to road safety awareness and re-education, which allow points to be recovered on the driving licence, as provided for in the additional provision 1 of R.D. 284/2021.

3.4.1.2. Activity requirements for CPC training companies

Both compulsory initial qualification courses and continuing training courses can only be taught by authorised "**CPC companies**". The competent administration for the authorisation of CPC companies are the Autonomous Communities in which the centre is located (arts. 8 and 9.1 of R.D. 284/2021)⁶³. To obtain the **CPC company authorisation**, the interested party must send an application to

⁶⁰ In its capacity as the competent authority to grant authorisations for discretionary public transport of passengers and goods by road, in accordance with Law 16/1987, on the Regulation of Land Transport, and its implementing regulations (R.D. 1211/1990).

⁶¹ [Royal Decree 555/2012](#), of 23 March, which establishes the title of Technician in Driving Road Transport Vehicles and sets its minimum education. It is an Intermediate Vocational Training qualification integrated into the general education system, which has a duration of 2,000 hours.

⁶² Drivers who have the CPC but do not have a valid driver qualification card because they have stopped practising the profession must also take a continuous training course (art. 7.5 of R.D. 284/2021). In other words, in this case it is not mandatory to take the initial qualification again and pass an exam.

⁶³ By virtue of its competence to grant authorisations for discretionary public transport of passengers and goods by road. In the event that the educational centre is located in an autonomous community other than that of the tax domicile, the competent authority to authorise the activity will be that of the place where the centre is located.

the administration proving that they meet the opening requirements with the minimum personal and material means required by R.D. 284/2021. After examining the application, the administration will grant, if applicable, the authorisation, and will register it in the Register of Transport Companies and Activities (art. 9.1 of R.D. 284/2021).

The CPC company authorisation is valid throughout the national territory and allows its holders to open branches throughout Spain, after notifying the competent body of the territory in which they are to be located. The possibility for companies to use "mobile classrooms" to teach courses is also allowed. Branches or mobile classrooms must have all the material means for the development of the activity (arts. 9.3 and 9.4 of R.D. 284/2021).

The **minimum personal and material resources** of CPC companies are included in Annex II of R.D. 284/2021. Specifically:

1. A **teaching director**. They must prove a minimum of 3 years' experience as a teacher or manager in a centre related to driver training or vocational training in general⁶⁴.
2. A group of **teachers specialised** in the following subjects: i) driver training; ii) rational driving, based on safety and environmental standards; (iii) logistics and road transport; (iv) transport of dangerous goods; (v) fire-fighting equipment and means; (vi) First aid. It is allowed for the same person to perform several teaching functions, when he or she has the necessary qualifications to do so. The requirements relating to teachers are developed in Order FOM/2607/2010⁶⁵, which details the modules that can be taught by each category of teachers, as well as the qualification for the exercise of each of the specialisations. In this regard, the Order creates specific **specialisation courses** (Annexes I to IV) for the corresponding professional qualification⁶⁶. The courses have minimum durations of between 32 and 140 hours, and a minimum number of hours that must be taught in person is also established. The courses provided for in Order FOM/2607/2010 may be taught by any public or private centre authorised

⁶⁴ R.D. 284/2021 offers an open list of valid centres to accredit the necessary experience.

⁶⁵ [Order FOM/2607/2010](#), of 1 October, which establishes the requirements to be met by trainers who teach initial qualification courses and continuous training of drivers of certain vehicles intended for road transport.

⁶⁶ Specialisations in road safety training and rational driving can be obtained through the "CPC Specialist in Rational Driving" course, regulated in Annex I of Order FOM/2607/2010. Specialisations in firefighting equipment and means and in first aid can be obtained with the "CPC Specialist in emergency road actions" course, regulated in Annex IV. However, it is not compulsory to take these courses, and alternative ways of access are contemplated through related degrees or qualifications for the exercise of related professions. For example, for the specialization in driver training it is sufficient to be in possession of the certificate of aptitude for driving school teacher issued by the DGT.

to offer any kind of official regulated training, or training to obtain an official degree or certificate of professionalism (additional provision 1 of Order FOM/2607/2010)⁶⁷.

3. **Premises** to teach, at least, the theoretical part of the courses. It is mandatory that the premises have a classroom with a minimum surface area of 1.5m² per student, a space reserved for the general services of the centre and that it is equipped with a biometric access control system, for the purposes of controlling attendance at courses.
4. At least **one vehicle** of the category corresponding to the courses to be taught, as long as practical exercises are planned. If the company does not have the necessary vehicles, it is sufficient for it to prove that it has agreed on their use with an organisation or entity that does have them. A biometric control system is also required for in-vehicle training.
5. **Minimum teaching material**, including documentation related to the course content and professional transport activity, tachographs, and a cardiopulmonary resuscitation manikin.

In addition to the opening authorisation, before providing the training, CPC companies must pass an additional procedure for the “**homologation of the courses**”. Approval must be requested from the same competent authority for the authorisation to exercise, by submitting a report whose minimum content is specified in Annex III of R.D. 284/2021 (art. 11 of R.D. 284/2021). The report must contain the detailed programme of the course, based on the subjects listed in Annex I. It will also contain the duration of the course and each of its modules, the number of hours dedicated to carrying out practical exercises and the way they are carried out, the number and qualifications of the necessary teachers and the maximum number of students, which may not exceed 20 in the subjects taught in person. After the submission of the report, the authority has 3 months to verify whether it complies with the regulations, in which case it will proceed to the homologation of the course, which will be registered in the Register of Companies and Transport Activities (art. 11 of R.D 284/2021). The homologation has an indeterminate duration and will be valid as long as the characteristics of the course do not vary. Once a course has been approved, it can be taught in any of the company's branches or mobile classrooms.

Finally, in addition to having passed the homologation, the holding of each specific course must be communicated in advance to the competent authority by

⁶⁷ These courses can also be taught by other centres, provided that they can prove a minimum of 5 years of experience in providing training courses in driving or transport.

reason of the place where the centre, branch or mobile classroom is located⁶⁸. The administration must carry out at least one in person inspection of each course communicated (art. 21.1 of R.D. 284/2021).

3.4.2. Dangerous goods: ADR permit

At the international level, the driving of vehicles carrying dangerous goods is governed by the European Agreement concerning the International Carriage of Dangerous Goods by Road ([ADR Agreement](#))⁶⁹. In Spain, the basic regulation on this training is found in the General Regulation for Drivers and the "[Order on ADR training](#)". Annex B of the ADR Agreement requires drivers of vehicles transporting dangerous goods to have a certificate issued by the authorities. Obtaining it will be conditional on taking a training course and passing an exam, both subject to supervision by the public authorities, with modalities, durations and minimum contents established by the ADR Agreement.

The **special authorisation to drive vehicles transporting dangerous goods** (hereinafter referred to as **the ADR licence**) is separate from the driving licence. Its validity is also subject to periodic refresher courses.

3.4.2.1. Requirements for obtaining the ADR permit

The ADR permit comprises one basic permit and three extensions that require prior possession of the basic permit. The **basic licence** authorises the driving of vehicles transporting dangerous materials not included in any of the extensions, while the **extensions** are:

1. *ADR tankers*. It authorises the driving of tanker vehicles, battery vehicles, or transport units transporting dangerous goods in tankers or tanker containers.
2. *ADR explosives*. It authorizes the transport of Class 1 explosive materials, according to the classification of the ADR Agreement.
3. *Radioactive ADRs*. It authorizes the transport of radioactive materials of class 7, according to the classification of the ADR Agreement.

In all cases, obtaining an ADR licence requires the completion of an **initial training course** at a centre authorised by the DGT, as well as the passing of

⁶⁸ The communication must include the information provided for in Annex IV of R.D. 284/2021, which includes the type of course to be taught and its correspondence with any of the previously homologated courses, the dates of completion and the schedule and detailed content of the classes, the place and facilities in which the practical exercises will be carried out, the list of teachers who will teach the course and the list of participating students.

⁶⁹ The ADR Agreement is a treaty signed in 1957 within the UN. It applies to the internal transport of dangerous goods (and not only to international transport) by virtue of Directive 2008/68/EC on the inland transport of dangerous goods.

practical exercises and a knowledge control test. As a prerequisite, it is required to be in possession of at least one category B licence that has been held for at least one year, as well as to have a medical certificate attesting the psychophysical aptitude required of group 2 drivers (art. 26 of the General Regulation for Drivers)⁷⁰.

Initial training courses may consist of **basic or specialized training**. In specialized training, a distinction is made between courses on the transport of tankers, explosives and radioactive materials. However, initial basic training and one or more specialisations can be carried out within the same course (art. 10 of the Order on ADR training). The courses have a minimum of in person theoretical classes. The minimum duration is 24 classes for basic training and 12 classes for each of the specialities. The content of the theoretical and practical training can be found in Annexes I and II of the Order on ADR training. The practical exercises are carried out during the initial training course and are evaluated with a grade of “pass” or “fail” (art. 68 of the General Regulation for Drivers).

Upon completion of the training, the school's director of education will issue a certificate of achievement that entitles the student to take the knowledge control tests (art. 13 of the Order on ADR training). The knowledge control tests are controlled and graded by civil servants from the Provincial Traffic Authorities. It is permitted to submit the application for the knowledge control tests to any Provincial Traffic Authority, regardless of the place where the training course is carried out (art. 13.2 of the Order on ADR training). Once the tests have been passed, the Provincial Traffic Authority will grant the ADR licence and will proceed to register it in the Register of Drivers and Offenders (art. 27.2 of the General Regulation for Drivers). The ADR permit is initially valid for 5 years, extendable indefinitely for periods of 5 years after completion of a refresher course.

Refresher courses have a similar structure to initial training courses. They are divided into basic and specialization refresher courses. It is also possible to hold multipurpose courses that cover basic retraining and some specialization (art. 12 of the Order on ADR training). During the courses, practical exercises subject to evaluation must be carried out and, after passing, the knowledge control tests can be requested from any Provincial Traffic Authority.

⁷⁰ A medical certificate is not necessary if the candidate already has a driving licence that requires proof of the psychophysical aptitude corresponding to group 2 drivers.

3.4.2.2. *Activity requirements for training centres to drive vehicles transporting dangerous goods*

Initial and refresher training courses for obtaining or extending ADR permits may only be given by companies authorised by the DGT (hereinafter, **ADR centres**), under the terms established in the Order on ADR training.

The **application for opening and operating** must be addressed to the Provincial Traffic Authority where the training centre is located. It must prove that the centre has the minimum personal and material resources required by the regulation. In addition, an explanatory report must be included indicating the types of courses for which authorisation is requested, as well as their detailed programme. Once the application has been received, the Provincial Traffic Authority will check that it complies with the regulations, for which it must carry out an inspection visit to the centre. Subsequently, the Provincial Authorities will send the file to the DGT, which will be responsible for granting the opening and operating authorisation, which will in turn be registered in the Register of Driver Training Centres (arts. 5 and 6 of the Order on ADR training).

The opening and operating authorisation allows the company to carry out courses throughout the national territory, provided that the company proves that it has the material and personal resources in each location (art. 8 of the Order on ADR training).

The **personal and material resources** of ADR training centres, regulated in Articles 2 to 4 of the Order on ADR training, include:

1. An **owner**. It is the natural or legal person in whose name the opening and operating authorisation is issued.
2. A **director of education**. In order to be a director, it is necessary to have a minimum of 3 years of experience as a teacher or to have been the director of an authorized ADR training centre.
3. A group of **specialised teachers**, in charge of teaching. There should be at least one teacher specialized in: (i) safety, transport and movement of dangerous goods; ii) firefighting; and (iii) behaviour and health first aid. It is permissible for the same person to exercise several functions. It is also allowed to arrange with a third party the training in firefighting and first aid.

It also provides for the creation of specific "**training of trainers courses**". They may only be taught by centres authorised by the DGT and must have the same material means as those required of ADR centres⁷¹. They have a minimum duration of 210 hours in their in person training phase and, in order to participate in them, it is necessary to be in possession of the basic ADR permit and at least the ADR tankers specialisation. The number of

⁷¹ They are also allowed to be taught by the DGT, directly or in collaboration with others.

students may not exceed 20 and the classrooms must have at least 2m² per student.

4. **Premises and facilities.** There must be a classroom of at least 30m² and at least 1.5m² for each student (art. 12.4 of the Order on ADR training). It is allowed that the centre does not have the necessary means and equipment for firefighting training itself, as long as it proves that it has arranged the teaching of these subjects with an entity that does have the appropriate means.
5. **Teaching material,** documentation, graphic material, mandatory equipment that transport units carrying dangerous goods must be equipped with, and a resuscitation dummy.

In addition to the authorization to open and operate, **ADR centres must make a request for each course to be held** at least 10 days in advance to the Provincial Traffic Authority of the place where it is to take place. The application must indicate the type of course in question, the dates and locations of the course, the teaching staff and the participating students (art. 8 of the Order on ADR training). The ADR centre is also responsible for communicating any changes that occur in the data included in the application for the course (art. 9 of the Order on ADR training).

3.5. Courses for the recovery of points

In Spain, a points-based driving licence **system has been in force since 2006**, when it was approved by Law 17/2005⁷². Thus, drivers receive a point credit when they obtain their first driver's permit or licence⁷³. The points credit is shared by all the permits or licences of the same holder and the points can be lost for the commission of serious or very serious traffic offences (art. 64.1 of the Traffic Law).

⁷² [Ley 17/2005](#), of 19 July, which regulates the driving licence and licence by points and modifies the articulated text of the Law on Traffic, Circulation of Motor Vehicles and Road Safety.

⁷³ The initial balance is 12 points, except for drivers who obtain their driving licence for the first time (without previously holding a licence of any other kind) and for drivers who obtain their licence again after losing all the points. In these two cases, the initial points credit will be 8 (art. 63.1 and 2 of the Traffic Law).

Points can be obtained in three ways: i) for the passage of time without a penalty for a traffic offence⁷⁴; ii) for taking “road safety awareness and re-education courses” (arts. 65.4 and 71.2 of the Traffic Law); and iii) for taking “safe and efficient driving courses” (art. 63.5 of the Traffic Law).

Due to their impact on road safety, the courses for the recovery of points are regulated. This regulation is discussed below.

3.5.1. Road safety awareness and re-education courses

Road safety awareness and re-education courses were introduced together with the points-based licence, through the reform of the Traffic Law by Law 17/2005.

3.5.1.1. *How the courses work*

There are two types of courses: i) **to recover points** after partial loss, and ii) **to obtain a new driving licence** after the loss of validity due to total loss of points. While it is possible to recover points by other means, in the case of obtaining a new permit or licence due to loss of validity, a safety awareness and re-education course is mandatory⁷⁵. In the latter case, in order to recover the permit or licence it is necessary, in addition to the course, to pass a knowledge control test (arts. 71.2 of the Traffic Law and 47.2 of the General Regulation for Drivers).

The characteristics of the safety awareness and re-education courses are regulated in Annexes III and IX of the Traffic Law and in Order INT/914/2024⁷⁶. The partial point recovery courses have a minimum duration of 10 hours and allow the recovery of a maximum of 6 points, without it being possible to exceed

⁷⁴ Holders of a licence with an initial credit of 8 points will have 12 points if two years pass without being fined in administrative proceedings for the commission of offences that lead to the loss of points (art. 65.2 of the Traffic Law). Licence holders affected by a partial loss of points will recover the initial credit of 12 points if two years pass without being fined in administrative proceedings for the commission of offences that lead to the loss of points (art. 65.1 of the Traffic Law). Finally, drivers who hold a licence with an initial credit of 12 points will receive two points after three years without loss of points, and an additional point if three more years have elapsed without loss of points (art. 63.4 of the Traffic Law).

⁷⁵ Furthermore, art. 71.1 of the Traffic Law establishes minimum time limits for obtaining a new licence: 6 months (3 months for professional drivers) after notification of the resolution declaring the loss of validity of the licence, or 12 months (6 for professional drivers) if the driver loses all his points again within 3 years of obtaining a new licence. If the loss of validity of the licence is the result of a criminal sentence, the licence can only be reinstated once the sentence has been served (art. 73 of the Traffic Act).

⁷⁶ [Order INT/914/2024](#), of 2 September, regulating road safety awareness and re-education courses for holders of a driving licence or permit.

the initial credit of points. In case of total loss of points, a 20-hour safety awareness and re-education course is required⁷⁷.

The structure of both courses is similar. They are divided into a common part, which includes training on subjects related to road safety and group reflection and debate, and a specific individualised part, in which each driver will receive specific training depending on their offender profile and knowledge⁷⁸. Within the common part, the intervention of a victim of a traffic accident is mandatory, to contribute to the objective of raising awareness of the importance of road safety.

After the course, the centre will communicate the result obtained to the DGT for registration in the Register of Drivers and Offenders. In the case of courses for partial recovery of points, this will lead to the automatic recovery of the corresponding points, while, in the case of courses for the recovery of the driving licence, the course allows to take the compulsory knowledge control test.

The **knowledge control test** consists of a multiple-choice exam on the subjects provided for in the Annexes of Order INT/914/2024 (Annex VI B) 1. b) of the General Regulation for Drivers). The exams are carried out by the Provincial Traffic Authorities and the application can be submitted to any, regardless of where the course has been taken (art. 38.2 of the General Regulation for Drivers). Each course entitles to 3 calls, after which the course must be repeated in case of not having passed the knowledge control test. In addition, between attempts, it is mandatory to carry out a 4-hour training cycle on the same subjects as the course (art. 51.4 of the General Regulation for Drivers).

3.5.1.2. *Activity requirements*

Road safety awareness and re-education courses are a regulated activity, which can only be offered by centres (**road safety awareness and re-education centres**) that meet the conditions established by the administration. An opening authorisation is now required, following the annulment of the previous administrative concession system (see Box 3). The basic regulation of the centres can be found in Annex IX of the Traffic Law⁷⁹.

⁷⁷ It is only allowed to take a course for the recovery of points once every two years, or once every year for professional drivers. Courses to recover driving licences cannot be taken until 6 months after the notification of the loss of validity (3 months for professional drivers).

⁷⁸ Arts. 4 y 5 of Order INT/914/2024. The specific subjects of the courses are regulated in the Annexes of Order INT/914/2024.

⁷⁹ Added to the Traffic Law by R.D.L. 5/2023, of 28 June, adopting and extending certain measures in response to the economic and social consequences of the war in Ukraine, to support the reconstruction of the island of La Palma and other situations of vulnerability; transposing EU Directives on structural modifications of commercial companies and reconciliation of family and professional life for parents and carers; and implementing and enforcing EU law.

Box 3

The annulment of the concession regime in the management of road safety awareness and re-education courses

Initially, it was decided to manage the awareness and re-education courses through an administrative concession regime, provided for in the Traffic Law, through Order INT/2596/2005. Under this system, two concessions were granted within the scope of the DGT's powers⁸⁰: one in 2005, which divided the Spanish territory into three lots, and another in 2014, which increased the number of lots in the contract to five. In the 2005 tender the three lots were awarded to CNAE (National Confederation of Driving Schools), while in the 2014 tender the five lots were awarded to a joint venture also headed by CNAE.

The concession system for road safety awareness and re-education courses was the subject of several appeals⁸¹. It also received a negative assessment from the CNMC, considering that it did not comply with the requirements of necessity and proportionality required by the legislation for the regulation of the conditions of access and exercise of the activity, there being other less restrictive regimes, such as those of authorisation or prior communication⁸². On the other hand, between the first tender in 2005 and the second in 2014, the 2006 Services Directive was approved, transposed into Spanish legislation by Law 17/2009⁸³. Both regulations generally recognise the principles of freedom of establishment and provision of services and regulate exceptions to this rule.

In 2015, an appeal was filed with the National High Court against [Resolution No. 71/2015](#) of the Central Administrative Court of Contractual Appeals (TACRC), which partially upheld a claim against the second of the tenders⁸⁴. The National Court partially upheld the claim, annulling the tender agreement ([SAN 5245/2018](#)). The ruling was appealed in cassation before the Supreme Court ([STS 882/2023](#)), which after the submission of a preliminary ruling to the Court of Justice of the EU ([STJUE C-292/21](#)) confirmed the judgment of the National Court in its essential elements, declaring the nullity of the legal paragraph contained in art. 9 of Order INT/2596/2005 that established the concession regime for road safety awareness and re-education courses. In its reasoning, the Supreme Court recalls that the Services Directive and Law 17/2009 establish as a general rule the freedom of access to the activities within their scope of application, and that the exceptions must be justified on the basis of the principles of necessity and proportionality. In addition, such justification must be particularly demanding

⁸⁰ In Catalonia and the Basque Country, the competences for the tendering of courses have been transferred, but the management has also been carried out under an administrative concession system.

⁸¹ The 2014 tender was the subject of an appeal before the Central Administrative Tribunal for Contractual Appeals (TACRC), which partially upheld the claim and annulled certain sections of the tender specifications ([Resolution no. 71/2015 of 27 January 2015](#)). The DGT's rejection of the request for annulment of the tender documents was also appealed before the ordinary courts, and the National High Court ([SAN 4928/2016](#)) dismissed the appeal..

⁸² In study [E-2008-07](#) and on the occasion of several complaints under the Market Unity Guarantee Law (reports [UM/026/14](#) and [UM/078/14](#)). The CNMC also received complaints about breaches of competition law (files [S/0043/08](#) and [S/0347/11](#)), which were closed.

⁸³ [Ley 17/2009](#), of 23 November 2009, on free access to and exercise of service activities.

⁸⁴ Approved by DGT [Resolution of 24 November 2014](#)..

when the restriction on the freedom to provide services reaches its maximum degree, as is the case under an administrative concession regime, because it is equivalent to the establishment of a legal monopoly in favour of the concessionaire. In the case of the concession regime for road safety awareness and re-education courses, its adoption was not duly justified and, therefore, it was considered not compatible with European and national regulations.

Following the Supreme Court's ruling, the concession system has been replaced by a prior authorisation regime.

The application for opening **authorisation** must prove that the centre has the minimum personal and material resources required by the regulations and will include a statement of compliance from the owner of the centre declaring such compliance. Once approved, the authorisation is valid nationally and will be registered in the Register of Road Safety Awareness and Re-education Centres. The authorisations are valid for 5 years and can be extended, for which an extension request will be required by the holder proving that the necessary requirements for their initial issuance have been maintained.

With regard to **the minimum personal and material resources** of the awareness and re-education centres, they include (Annex IX of the Traffic Law):

1. An **owner** and a **manager**. They are, respectively, the natural or legal person in whose name the opening authorisation is located, and the person responsible for the proper functioning of the centre, including the planning and supervision of the teaching activity (Annex IX.2.a) and b) of the Traffic Law). In this case, the manager is not required to have any specific qualifications or previous experience.
2. A **trainer**, in charge of teaching. It requires having the driving school instructor certificate (the same as to be a driving school teacher), having 3 years of experience in driver training and having the road safety awareness and re-education course trainer certificate. Obtaining the certificate of trainer of road safety awareness and re-education courses requires a specific course, the organisation of which corresponds to the DGT (Annex IX.2.c) of the Traffic Law). In practice, these courses are organised by an administrative concession and have a duration of 80 hours, which will deal with the subjects provided for in Order INT/2596/2005, as established in the technical specifications of the tender contract⁸⁵.

⁸⁵ The reference should be understood as being made to Order INT/914/2024, which repeals the 2005 regulation. The last award of the courses for trainers and psychologist-trainers took place in 2019 and corresponds to the period 2018-2021. The tender documents provided for the possibility of an extension for two additional years. According to the current operator, the contract expired on 31 July 2024, and a new contract has not yet been put out to tender.

3. A **psychologist-trainer**, in charge of teaching. It requires a Bachelor's degree in Psychology and the certificate of psychologist-trainer of road safety awareness and re-education courses. The courses for this certificate are governed by the same administrative concession as the trainer courses and have a duration of 16 hours.
4. Although it is not part of the minimum personal requirements that schools must prove in order to obtain the opening authorisation, Order INT/914/2024 establishes the mandatory participation in all courses of a **traffic accident victim**, in order to reinforce the objective of raising awareness of the risks of infringing behaviour. It must belong to a non-profit entity or organisation that meets the requirements of art. 6 of Order INT/914/2024. Among other things, the association must have been declared of public utility and be at least 3 years old.
5. **Premises** for teaching. It must have a classroom of at least 15m² and at least 1.5m² per student, 20 being the maximum number of students. In addition, the premises must have a separate space for customer service, in which a plaque must be displayed accrediting the status of an authorized centre for the teaching of road safety awareness and re-education courses.
6. **Varied teaching material**, including internet connection, a projector, and an individual computer and headphones for each student that allow personalized training.

Safety awareness and re-education centres are obliged to notify the DGT of the start of each of the courses at least 10 days in advance, by registering them in the DGT application created for this purpose (art. 7 of Order INT/914/2024). They must also notify the students enrolled in each course within 24 hours prior to its start (art. 9 Order INT/914/2024), in order to verify compliance with the requirements for taking the courses.

3.5.2. Safe and efficient driving courses

Since 2021, the Traffic Law allows the accumulation of points on the driving licence through **safe and efficient driving courses**⁸⁶. They serve to train drivers in driving techniques aimed at avoiding accidents and reducing fuel consumption and polluting emissions (Annex VIII of the Traffic Law). They allow to obtain two additional points, provided a positive initial balance and without exceeding the maximum of 15 points. Safe and efficient driving courses can be taken once every

⁸⁶ Following the reform carried out by Law 18/2021, of 20 December, which amends the revised text of the Law on Traffic, Circulation of Motor Vehicles and Road Safety, approved by R.D.L. 6/2015, of 30 October, in the area of driving licences with points.

2 years (art. 63.5 of the Traffic Law). Its minimum duration is 6 hours, including theoretical and practical training.

However, for the safe and efficient driving courses to come into operation, a regulatory development is necessary (Transitional Provision 4 of the Traffic Law) that is currently in the processing phase and has not yet taken place⁸⁷.

3.6. International comparison

Road safety policies are coordinated within the framework of the main international institutions and have common objectives in all countries⁸⁸. This section makes an international comparison of the regulation of training to obtain driving licences, as well as the professional qualifications required of teachers and driving school managers.

3.6.1. Obtaining a driving licence

The **procedure for obtaining a driving licence in different** countries is analysed below. In particular, to identify whether there are obligations to train in driving schools or for the training to be provided by teachers subject to an administrative authorisation. To this end, a sample of nine European countries has been chosen: Austria, Germany, France, Belgium, the United Kingdom, Ireland, Italy, Portugal and Sweden. The analysis has focused on the procedure for obtaining the category B licence (passenger cars), as it is the most common⁸⁹. The main results are summarized in Tables 2 and 3 below (and are explained in more detail in Annex I).

⁸⁷ CNMC's [IPN/CNMC/032/23](#) examines in detail the Draft Order regulating the duration, content and requirements of safe and efficient driving courses.

⁸⁸ The goal of reducing deaths and injuries caused by road crashes is included among the [Sustainable Development Goals](#) approved within the framework of the 2030 Agenda (goal 3.6) of the United Nations (UN). Thus, the UN declared the period 2021-2030 as the Second Decade of Action for Road Safety, and the World Health Organisation (WHO) has developed a [Global Plan for the Decade of Action for Road Safety 2021-2030](#). Along the same lines, the EU has approved the [EU Road Safety Policy Framework 2021-2030](#), which sets as targets a halving of the number of road injuries and fatalities by 2030, as an intermediate milestone to reach a figure of zero road deaths by 2050 ("Vision Zero"). In Spain, these initiatives are reflected in the DGT's [Road Safety Strategy 2030](#).

⁸⁹ In Spain, 66% of the licences issued in 2023 were category B, according to information published by the DGT (available at this [link](#)).

Table 2. International comparison of training requirements for obtaining driving licences (B licence)

Country	Other mandatory prior training ¹	Compulsory theoretical training in a driving school	Compulsory practical training in a driving school	Mandatory post-permit training	Accompanied driving allowed
Spain	<u>No.</u>	<u>No.</u>	<u>No*</u> : there is a learner's licence for the B permit, the importance of which is residual.	<u>No.</u>	<u>Yes*</u> : there is a learner's licence for the B permit, the importance of which is residual.
Germany	<u>Yes</u> : 6.75 h in first aid.	<u>Yes</u> : 21 h. Training must be in person in general.	<u>Yes</u> : "basic training" (no specific duration) and special routes (motorway, conventional road, night driving).	<u>Yes*</u> : only in the case of traffic offences during the probationary period.	<u>No*</u> : however, it is possible to obtain a licence at the age of 17 ("BF17 licence"), on the condition to drive accompanied until 18. The BF17 requires the same mandatory training.
Austria	<u>Yes</u> : 6 h in first aid.	<u>Yes</u> : 27 h. Training must be in person in general.	<u>Yes</u> : 14 h divided into several blocks, including special routes.	<u>Yes</u> : two advanced courses and a course on safe driving in an authorised centre. Additional mandatory training in case of traffic violations during the probationary period.	<u>Yes</u> : it allows to replace part of the compulsory practical training.
France²	<u>Yes</u> : theoretical training on road safety and passing a test.	<u>No.</u>	<u>No*</u> : Free preparation is possible. In the modalities of "early learning" or "supervised driving" a minimum training of 20 h is mandatory.	<u>No*</u> : it is possible to voluntarily carry out a 7-hour "complementary training" in a driving school, with a reduction in the probationary period.	<u>Yes.</u>
Belgium²	<u>No.</u>	<u>No*</u> : In case of failing 2 consecutive times, it is mandatory to receive theoretical training in a driving school (12 h in case of not passing the test, or 3 h if it is the hazard perception test).	<u>No*</u> : Free preparation is possible. Minimum training in the modalities of "direct access" (30 h) and "preparation in driving school" (20 h) is mandatory.	<u>Yes*</u> : only in the Flanders region a 4-hour further theoretical and practical training at an approved centre is compulsory.	<u>Yes.</u>

Table 2 (cont.). International comparison of training requirements for obtaining driving licences (B licence)

Country	Other mandatory prior training ¹	Compulsory theoretical training in a driving school	Compulsory practical training in a driving school	Mandatory post-permit training	Accompanied driving allowed
United Kingdom ³	<u>No.</u>	<u>No.</u>	<u>No.</u>	<u>No*</u> : a 6-hour practical training (<i>pass plus</i>) can be carried out voluntarily.	<u>Yes.</u>
Ireland ³	<u>No.</u>	<u>No.</u>	<u>Yes</u> : 12-hour training (<i>Essential Driver Training</i>).	<u>No.</u>	<u>Yes.</u>
Italy	<u>No.</u>	<u>No.</u>	<u>Yes</u> : 6 hours of special routes (motorway, intercity road, night driving).	<u>No.</u>	<u>Yes.</u>
Portugal	<u>No.</u>	<u>Yes</u> : 28 h of training divided into several blocks. Part of the training must be in person. In case of failure in the theoretical test, it is mandatory to receive 5 h of additional theoretical training.	<u>Yes</u> : at least 32 h of training and at least 500 km of distance travelled. In case of failure in the driving test, it is mandatory to receive additional practical training.	<u>No.</u>	<u>Yes*</u> : however, accompanied driving does not exempt from completing all the minimum mandatory training in driving schools.
Sweden	<u>Yes</u> : 7 h of theoretical and practical training on driving risks.	<u>No.</u>	<u>No.</u>	<u>No*</u> : in the event of loss of the licence due to traffic offences during the probationary period, it is mandatory to obtain a new licence from scratch, which requires the mandatory risk training to be carried out again.	<u>Yes.</u>

Source: Authors. Notes: ¹ Compulsory regulated training different from that required for the preparation of the tests to obtain the licence. ² In France and Belgium there are different methods of obtaining a driving licence, which vary according to the way in which they are prepared. Candidates must choose the training modality at the beginning of the licensing process. ³ In the United Kingdom and Ireland there is no regulation of "driving schools", understood as commercial establishments to which a set of material and human resources are attached for driving training. Only the figure of the "driving teacher" is regulated, who is the person authorized to professionally teach driving in exchange for remuneration.

Table 3. International comparison of the requirements for accompanied driving.

Country	Mandatory training for the candidate in a driving school	Mandatory training for the companion in a driving school	Companion requirements	Vehicle Requirements	Driving restrictions	Minimum Duration/Distance Required
Spain	<u>No.</u>	<u>No*</u> : however, it is permitted for the Provincial Authorities to require the passing of a theoretical or practical test.	licence with at least 5 years of seniority. No serious violations during the last 5 years. Not have been a companion previously during the last year.	Marked. Specific insurance. Double mirrors. Dual control. Property of the candidate or the companion. It cannot be used simultaneously by more than one candidate.	<u>Yes</u> : Lower top speed. It is not allowed to drive on motorways or conventional roads on holidays and eves.	<u>No</u> : maximum duration of 8 months.
Austria	<u>Yes</u> : the minimum mandatory training must have been taken previously.	<u>Yes</u> : it is mandatory to participate in an "observation tour".	Licence with a minimum of 7 years of seniority. No serious infringements during the previous 3 years. Close affinity relationship with the candidate.	Marked.	<u>No.</u>	<u>Yes</u> : at least 1,000 km.
Austria (L17)¹	<u>Yes</u> : the minimum mandatory training must have been taken previously. Every 1,000 km travelled, the candidate must attend training sessions.	<u>Yes</u> : every 1,000 km the companion must participate in training sessions.	Licence with a minimum of 7 years of seniority. No serious infringements during the previous 3 years. Close affinity relationship with the candidate.	Marked.	<u>No.</u>	<u>Yes</u> : at least 3,000 km.
France (supervised driving)²	<u>Yes</u> : 20 h of practice.	<u>Yes</u> : the accompanying person must participate in a 2-hour training session previously.	Licence valid for the last 5 years.	Marked. Specific insurance.	<u>Yes</u> : Lower top speed.	<u>No.</u>

Table 3 (cont.). International comparison of the requirements for accompanied driving.

Country	Mandatory training for the candidate in a driving school	Mandatory training for the companion in a driving school	Companion requirements	Vehicle Requirements	Driving restrictions	Minimum Duration/Distance Required
France (early learning at 15 years, AAC)²	<u>Yes</u> : 20 h of practice. Two 3-hour training sessions during accompanied driving.	<u>Yes</u> : the accompanying person must participate in a 2-hour training session previously. Two 3-hour training sessions during accompanied driving.	Licence valid for the last 5 years.	Marked. Specific insurance.	<u>Yes</u> : Lower top speed.	<u>Yes</u> : minimum duration of 1 year. Minimum distance of 3,000 km.
France (free preparation)²	<u>No</u> .	<u>No</u> .	Licence valid for the last 5 years.	Marked. Specific insurance. Double mirrors. Dual control.	<u>Yes</u> : Lower top speed. Municipalities can prohibit traffic of free candidates in certain areas.	<u>No</u> .
Belgium (M36)³	<u>Yes</u> : the candidate and the accompanying person must participate in a previous training session.	<u>Yes</u> : the candidate and the accompanying person must participate in a previous training session.	Licence with a minimum of 8 years of seniority. In force for the last 3 years.	Marked. Double mirrors.	<u>Yes</u> : it is forbidden to circulate at night on public holidays and their vespers. There may be no passengers in the vehicle other than the designated companions.	<u>Yes</u> : minimum duration of 3 months and maximum of 36 months. Minimum distance of 1,500 km.
United Kingdom	<u>No</u> .	<u>No</u> .	Over 21 years of age. Licence in force for the last 3 years.	Marked. Specific insurance.	<u>Yes</u> : it is not allowed to drive on motorways.	<u>No</u> .
Ireland	<u>Yes</u> : 12 h of practical training must be completed at any time before the exam.	<u>No</u> .	Licence valid for the last 2 years.	Marked. Specific insurance.	<u>Yes</u> : it is not allowed to drive on motorways.	<u>Yes</u> : minimum duration of 6 months.

Table 3 (cont.). International comparison of the requirements for accompanied driving.

Country	Mandatory training for the candidate in a driving school	Mandatory training for the companion in a driving school	Companion requirements	Vehicle Requirements	Driving restrictions	Minimum Duration/Distance Required
Italy	<u>Yes</u> : 6 h of minimum compulsory training must be completed (special routes).	<u>No</u> .	Under 65 years of age. Licence with at least 10 years of seniority.	Marked.	<u>Yes</u> : Lower top speed. If there are passengers in the vehicle, it cannot be driven on motorways, interurban roads or at night.	<u>Yes</u> : minimum duration of 1 month.
Portugal	<u>Yes</u> : all mandatory training must be completed. Part of it must be done beforehand.	<u>Yes</u> : a 7-hour training module must be completed previously.	Licence with at least 10 years of seniority. No convictions for serious violations during the last 5 years. A specific liability insurance must be taken.	Marked.	<u>Yes</u> : it is not allowed to drive on motorways. Passengers are not allowed.	<u>No</u> *: it is mandatory for the candidate to complete the same mandatory training as without accompanied driving (500 km with an authorised driving school instructor).
Sweden	<u>No</u> *: before the exam a mandatory 7-hour risk training must be completed.	<u>Yes</u> : a 3-hour introductory course must be completed.	Over 24 years of age. Licence with at least 5 years of seniority. In force for the last 3 years.	Marked.	<u>No</u> .	<u>No</u> .

Source: Authors. Notes: ¹ The Austrian L17 licence is based on the acquisition of experience through accompanied driving and allows the driving licence to be brought forward to 17 years. ² In France, there are several ways to obtain a driving licence that allow candidates to practice with a companion. Candidates are expected to choose a training modality at the beginning of the licensing process. ³ There are several ways in which a driving licence can be obtained in Belgium. The "M36" licence is based on accompanied driving.

The content of the two tables above shows that the rules regarding the procedure for obtaining a driving licence and driving training vary significantly between countries.

In some countries, it is envisaged that training, both theoretical and practical, takes place mainly through an approved driving school, such as in Germany, Austria or Portugal. In most of the countries considered, however, free preparation is permitted, at least in part⁹⁰. With the exception of the United Kingdom and the free preparation modality in France, in all countries some type of regulated training is mandatory at some point in the process of obtaining a driving licence.

In the case of **preparation for theory tests**, in Germany, Austria and Portugal the content of the training is regulated and there is an obligation to receive theoretical classes at an approved driving school. In these countries, it is also planned that theoretical teaching will be carried out in person in general (at least part of the compulsory training). On the contrary, in most of the countries considered, the preparation of the theoretical exam is free and the knowledge of the candidates is guaranteed through the exam. In addition, in some countries it is mandatory to carry out some kind of theoretical training on specific subjects (previous training in first aid in Germany and Austria, general training on road safety in France, training on risks in Sweden).

With regard to **driving training**, in Germany, Austria, Ireland, Italy and Portugal all or part of its content is regulated, and a minimum number of practical classes in an approved driving school or with a professional driving instructor is mandatory⁹¹. However, in all the countries concerned, with the exception of Germany⁹², it is also possible to drive in the presence of a lay instructor before obtaining the final licence. Of the countries analysed, only Belgium (18M licence) allows part of the learning to be carried out autonomously, without the need for companions in the vehicle (see Annex I).

While in some countries **accompanied driving** is conceived as a complementary learning phase to regulated training in a driving school (Austria, Ireland, Italy, Portugal), in others (United Kingdom, Sweden) independent training is possible.

⁹⁰ Other countries that have not been analysed in depth also have regulations that allow accompanied driving during the learner phase, such as the United States, Canada, Norway, Finland, Australia or New Zealand.

⁹¹ In Sweden there is compulsory practical (and theoretical) risk training of 7 hours in total, which must be carried out in an authorised centre.

⁹² In the case of Germany, accompanied driving is not possible prior to obtaining a driving licence, but there is the "BF17" licence, which allows driving a category B vehicle from the age of 17, with the condition that up to the age of 18, the candidate may only drive in the presence of an accompanying person designated for this purpose.

In Belgium and France, driving education is organised around several learning models, which can be chosen by the candidate, and which allow preparation through an approved driving school, free preparation with a lay instructor (unaccompanied in the case of the 18M licence in Belgium), or a combination of both.

Otherwise, although the practice of driving through accompanied driving systems is allowed, it is common for there to be certain restrictions on this type of training. The most common consist of the establishment of minimum distances or durations (Austria, AAC in France, Belgium, Ireland, Italy), the aim of which is for candidates to acquire as much experience as possible before obtaining the licence. Along these lines, in some countries (Germany, Austria, France) the minimum age to start driving is lowered in case of opting for accompanied driving. In France and Belgium, moreover, the practice of accompanied driving must be structured according to guidelines drawn up by the authorities (the *livret d'apprentissage* in France or the *Roadbook* in Belgium⁹³) (see Annex I).

The requirements for companions are similar in most countries, and usually consist of a minimum age (in Italy there is also a maximum age), minimum length of time on the driver's licence and no penalties for traffic violations. Likewise, it is common for there to be restrictions on circulation during accompanied driving (type of road, specific times or days, other passengers in the vehicle).

Finally, in most of the countries considered, there are **probationary periods** after obtaining a driving licence, subject to special restrictions or greater penalties in the case of traffic offences. In Austria and Belgium (Flanders region) it is compulsory to complete further training after obtaining a licence, while in France and the United Kingdom there are similar voluntary programmes.

3.6.2. Professional qualifications for driving education

Regardless of whether it is compulsory or not, in most of the countries there is a formal system of learning to drive through teaching by professional instructors, whose purpose is to prepare for the tests to obtain a driving licence. In many countries, professional driving education is a regulated profession, in the sense that the legislation makes its exercise conditional on the possession of certain professional qualifications. The requirements that driving teachers must meet in order to be able to practice as such are not harmonized by EU legislation.

⁹³ Voluntary monitoring forms are available in the UK. In Austria, France (AAC and supervised driving), Belgium, Portugal and Sweden it is compulsory for the designated accompanying person to undergo prior training.

For the comparison of this section, the information contained in the Regulated Professions Database ([REGPROF](#)), has been taken as a reference⁹⁴. REGPROF is elaborated by the European Commission based on contributions from the EU Member States. The information is based on the definitions of Directive 2005/36/EC⁹⁵, so countries must classify the level of qualification required for the exercise of the different professions in terms of homogeneous and comparable categories⁹⁶.

Article 11 of Directive 2005/36/EC contains 5 levels of qualification for the purposes of the mutual recognition of professional qualifications. From lowest to most demanding, the following can be distinguished⁹⁷: i) an attestation of competence ([ATTs](#)); (ii) certificates attesting to the completion of a secondary course ([SEC](#)); (iii) diplomas that sanction a cycle of post-secondary level studies ([DSE](#)); (iv) diplomas that sanction post-secondary level training of more than 3 years duration ([PS3](#)); (v) diplomas that sanction post-secondary level training with a duration of more than 4 years ([PS4](#)).

According to the information obtained from REGPROF, it is observed that in most European countries professional driving training is a regulated activity. Specifically, in 30 countries (all countries included in REGPROF except Latvia and Lithuania) the activity of "driving instructor" is a regulated profession subject to entry requirements of some kind. Figure 1 summarises the levels of qualification required by the different countries.

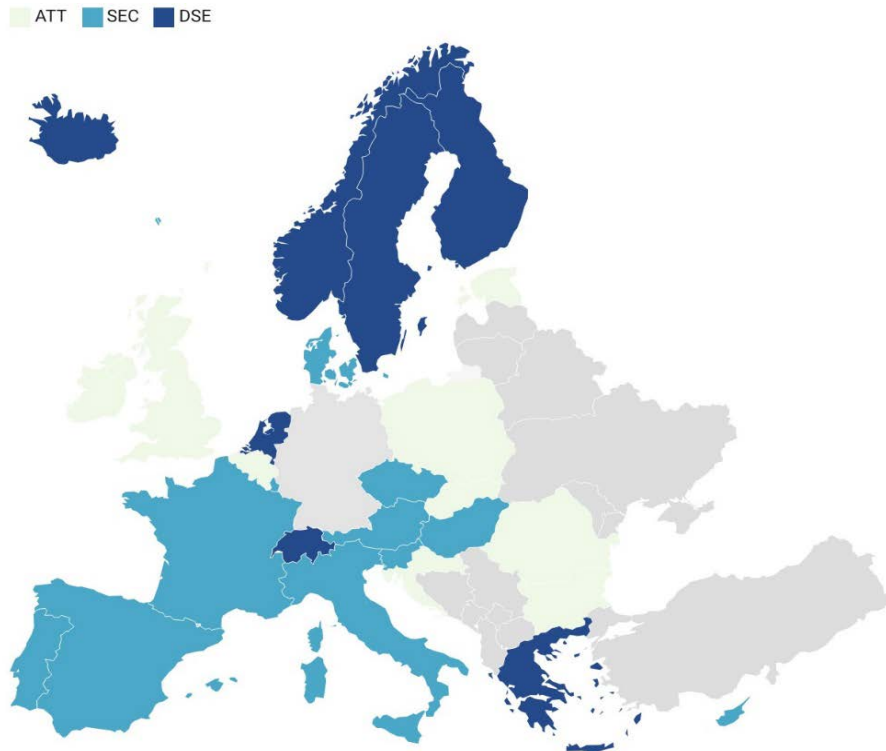
⁹⁴ The database on regulated professions includes information on the professions covered by [Directive 2005/36/EC](#) on the recognition of professional qualifications. In addition to the EU countries, the European Economic Area countries, the United Kingdom and Switzerland also participate. The countries are responsible for the accuracy and up-to-dateness of the information.

⁹⁵ [Directive 2005/36/EC](#) of the European Parliament and of the Council, of 7 September 2005, on the recognition of professional qualifications.

⁹⁶ Because they are used for the application of the rules on the recognition of professional qualifications obtained in a country other than the country in which the worker is established. Countries are generally obliged to recognise professional qualifications for equivalent professions obtained in a different country, provided that they require a level of qualification similar to that required in the country of destination (under the conditions laid down in Art. 13 of Directive 2005/36/EC).

⁹⁷ The exact definitions can be found at article 11 of Directive 2005/36/EC.

Figure 1. Qualification required for driving school instructors in European countries



Source: Authors' elaboration based on REGPROF. Note: an analysis has been made based on the "generic names" used by REGPROF to classify regulated professions. For the preparation of this comparison, the following professional categories related to professional driving and driver training have been consulted: "Driving instructor", "Driving school owner/manager/assistant manager", "Driving test examiner", "Road haulier", "Road passenger carrier", "Bus driver", "Road transport manager", and "Road transport drivers not classified elsewhere". The comparison has taken into account the content of the information provided by countries, in cases of discrepancy with the "generic name" indicated.

There are differences in the levels of qualification required to work as a driving teacher⁹⁸. The most common qualification levels consist of an attestation of competence (ATT, 10 countries) and certificates of secondary education (SEC, 11 countries, including Spain). No country requires qualification equivalent to postsecondary diplomas with more than 3 years of duration (PS3 or PS4). In most countries candidates are required to have reached a minimum level of education within the general education system (e.g. in Spain it is necessary to have a

⁹⁸ Germany indicates that it applies the system of automatic recognition based on professional experience and therefore does not inform about the level of qualification for the purposes of art. 11 of Directive 2005/36/EC. However, it indicates that the professional qualification process for driving instructors comprises a 12-month training, including a course and an examination, as well as a compulsory traineeship in a driving school. Liechtenstein also does not indicate the level of qualification in terms of art. 11 but indicates that professional qualification is obtained by passing a vocational training course of 880 hours, including practical training and passing an examination.

Compulsory Secondary Education title or equivalent to obtain a certificate of aptitude as a driving school teacher). However, in some countries it is not required⁹⁹.

In most countries, specific training is required, although in some it is sufficient to pass an exam¹⁰⁰. In countries where specific training is required, its duration varies widely, although it is usually between 200 and 600 hours (less than a year). The countries with the most demanding requirements are Greece, Sweden and Norway, where compulsory training exceeds 1,000 hours and lasts for more than a year¹⁰¹. About half of the countries require compulsory practical training of some kind¹⁰². In most cases, it is also necessary to pass a test carried out by the administration. Generally, the tests consist of theoretical exams on road legislation and pedagogy, as well as practical exams related to driving skills and aptitude for teaching¹⁰³. Finally, in most European countries (20, not including Spain) continuous training or periodic control tests are required to maintain the validity of the exercise authorisation.

The profession of "driving school manager" has also been considered. In this case, of the 32 countries that provide information to REGPROF, only 13 (including Spain)¹⁰⁴ have it been a regulated profession. Among the access requirements, it is common to require having the qualification to be a driving school teacher¹⁰⁵. Some countries also require a minimum experience¹⁰⁶.

⁹⁹ In the United Kingdom, Ireland, Denmark or Malta, according to the European Commission (2017).

¹⁰⁰ In the United Kingdom, Ireland, the Netherlands, Malta or Cyprus, according to the European Commission. (2017).

¹⁰¹ According to the European Commission (2017). In Norway, the basic training to become a driving instructor lasts 3,360 hours, and in combination with some additional modules (e.g. related to the management of a driving school) it is possible to obtain a level of education equivalent to a university degree or even a postgraduate degree.

¹⁰² 12 countries, including Spain. 16 countries indicate that traineeships are not compulsory, while Hungary and Norway do not provide information.

¹⁰³ According to the European Commission (2017), which also highlights that in some countries (Italy, Bulgaria, Latvia, Lithuania, and Spain) there is no practical assessment of teaching skills while driving skills are indeed assessed.

¹⁰⁴ Austria, Belgium, Croatia, Czech Republic, Finland, France, Luxembourg, Norway, Portugal, Slovakia, Slovenia, Spain and Sweden.

¹⁰⁵ 12 countries expressly indicate this: Austria, Belgium, Croatia, Czech Republic, Finland, Luxembourg, Norway, Portugal, Slovakia, Slovenia, Spain and Sweden. France removed this requirement in 2011.

¹⁰⁶ This is explicitly indicated by Austria, Luxembourg, Portugal, Slovakia and Slovenia.

4. ECONOMIC CHARACTERIZATION

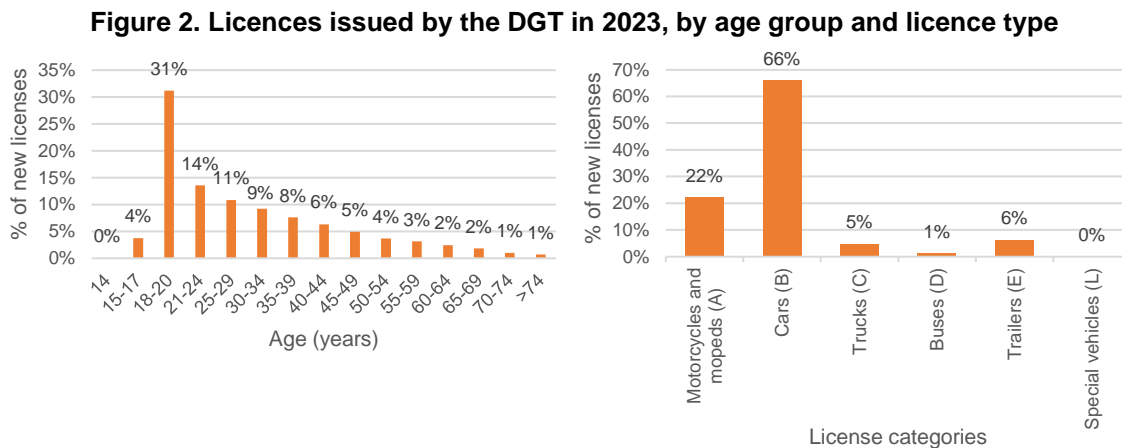
Driver training services play a vital role in the personal and professional development of citizens. In Spain, 58% of the population holds a driving permit or licence, rising to 79% among those aged 25 to 64¹⁰⁷. Driver training services are also crucial for accessing various professions and for the transport of passengers and goods, by training the essential driver personnel for these activities¹⁰⁸.

This section examines the demand, supply and competitive landscape of driver training services, analysing the different activities involved, following the classification of activities established by the regulator. The information is sourced from both public and restricted access sources, including a formal information request to the DGT (see Annex II for details).

4.1. Training for obtaining driving licences

4.1.1. The demand

The available information suggests that most of the demand comes from young people seeking to obtain a category B licence (see Figure 2). Both segments account for around two-thirds of the licences issued (68% of licence holders are between 15 and 34 years old, and 66% of the licences issued are category B). In 2023, 52% of all licences issued were category B licences granted to individuals within the 15 to 34 age group.



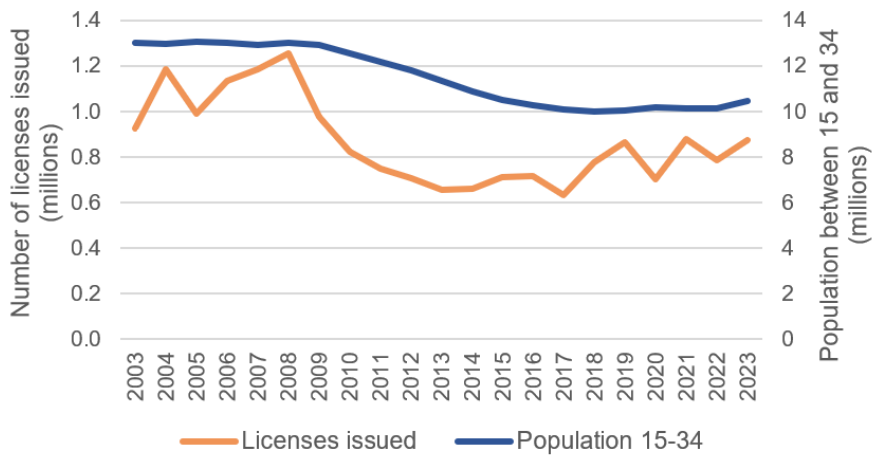
Source: Authors' elaboration based on data from the DGT (General Statistical Yearbook 2023).

¹⁰⁷ 2023 Driver Census (DGT) and 2021-2023 Annual Population Census (INE).

¹⁰⁸ Sector associations highlight a shortage of drivers in Spain. Similarly, Adecco's 2024 labour market needs report identifies 'Transportation and Storage' as the sector with the highest number of hard-to-fill job vacancies in 2023 (20.3%). Among these, 'urban and road transport vehicle drivers' represented the most difficult positions to cover, accounting for 17.2% of the vacancies.

Demand has declined in recent years, with a sharp drop following the 2008 Great Recession, recovering slightly from 2015 onwards, but not reaching previous levels (see Figure 3).

Figure 3. Licences issued and population aged 15 to 34 between 2003 and 2023



Source: Authors' elaboration based on data from the DGT and the INE. Note: Population data for individuals aged 15 to 34 for 2021, 2022 and 2023 are drawn from the INE's 2021-2023 Annual Population Census. These figures have been calculated using population growth rates for this age group from the Continuous Register Statistics.

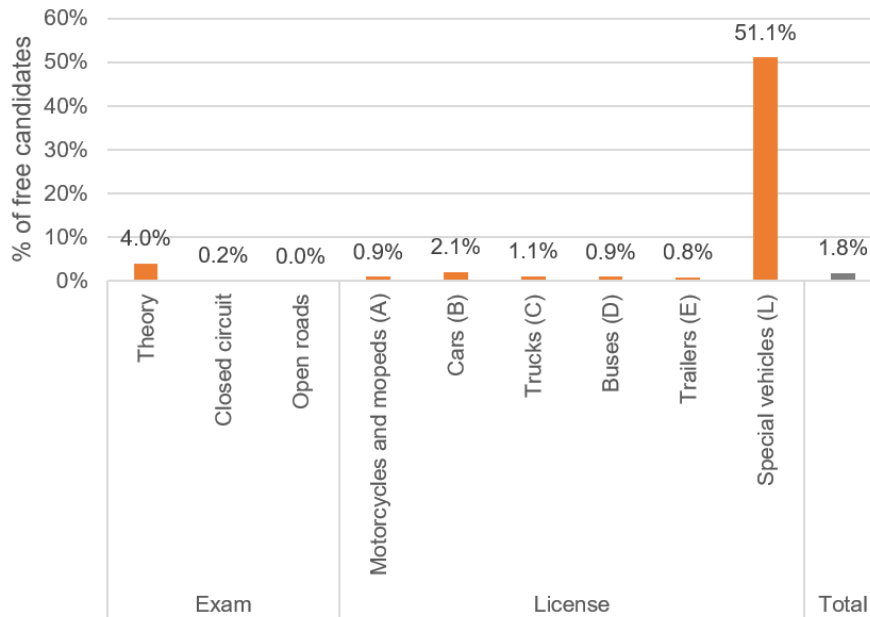
One contributing factor to the decline in demand is the decreasing birth rate and the shrinking population aged 15 to 34. Additionally, factors that drove demand in the 1980s and 1990s – such as the entry of women into the labour market, which encouraged older women to obtain driving licences – are no longer present (Rodero Jiménez & Rojas Montoya, 2013). Another factor is the lower preference for car ownership among young people, driven in part by the growth of alternative personal mobility options¹⁰⁹.

It is important to note that demand for driving licences does not directly translate to demand for driving school services, as individuals in Spain have the option to take driving exams independently. However, this remains rare. Of the more than 2.5 million exams conducted by the DGT in 2023, 98% of candidates were

¹⁰⁹ A McKinsey survey (2023) of 4,000 people from Germany, France, and the UK reveals that individuals over 45 years old make more regular use of private vehicles (77% use it more than 4 times a week) compared to those under 30 (42%) or between 30 and 45 years old (49%). People aged 45 or younger make greater use of alternative transportation options that do not require a driving licence, such as taxis or ride-hailing services, personal mobility vehicles, shared vehicles, or public transport.

affiliated with a driving school. Figure 4 shows that while it is more common for students to take theoretical exams independently, practical and skills tests are typically completed through driving schools. Independent exam preparation is more prevalent for specialized licences (particularly for agricultural vehicle permits, where 51.1% of exams are taken by independent candidates) and, to a much lesser extent, for category B licences (2.1% of the total).

Figure 4. Percentage of independent candidates by type of exam and licence, 2023



Source: Authors' elaboration based on data from the DGT. Annex II provides more detail on the exams taken according to the type of exam, student and licence.

4.1.2. The offer: driving schools

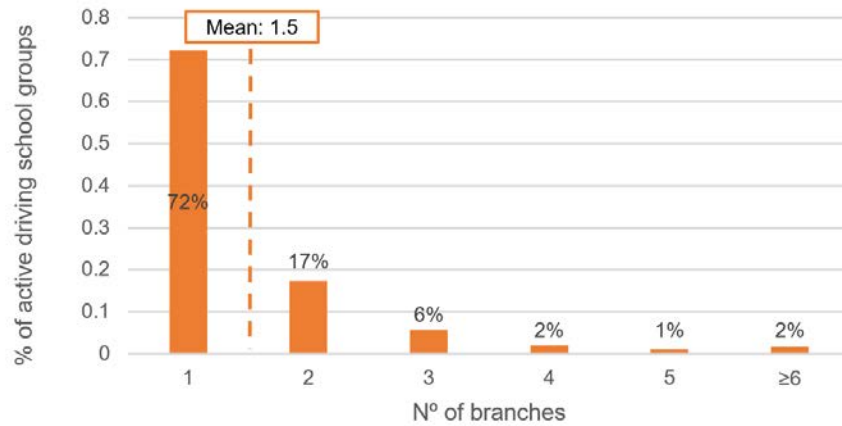
In 2023, Spain had 4,771 active driving schools, with 7,173 branches¹¹⁰. This yields a state average of 1.5 branches per driving school, suggesting a high degree of **atomization** in the sector. A similar pattern emerges when analysing driving school business groups (4,654 active groups in 2023)¹¹¹. Figure 5 below presents a histogram illustrating the distribution of driving school groups by the number of branches. Most have a single branch (72% of the total). The

¹¹⁰ According to the Driver Training Centres Registry, there were 5,175 driving schools registered in Spain in 2023, with 7,986 subsidiaries. However, not all of them are active, so the analysis in this section only includes the driving schools that submitted at least one student for an exam during the reference year or period.

¹¹¹ To define the **business groups**, information about the driving school owners provided by the DGT and information about the shareholders of the driving school companies from SABI have been used (for more details, see Annex II).

distribution follows a downward trend, so that only 5% of the groups manage more than 3 branches.

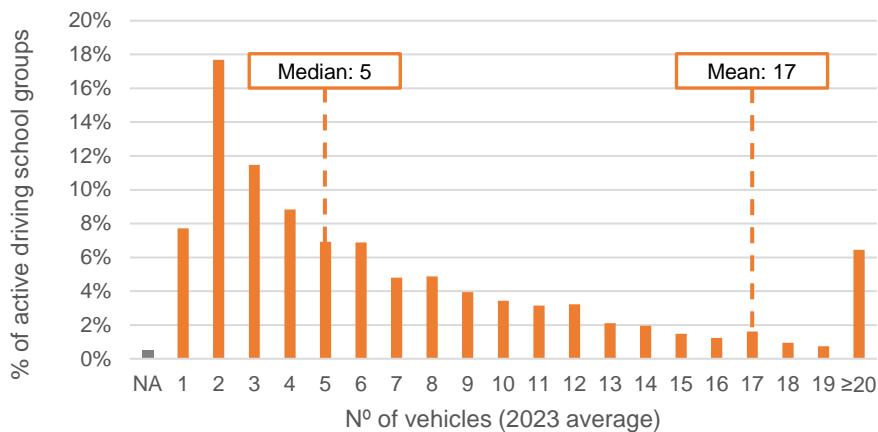
Figure 5. Distribution of driving school groups by the number of branches, 2023



Source: Authors' elaboration with data from the DGT and SABI.

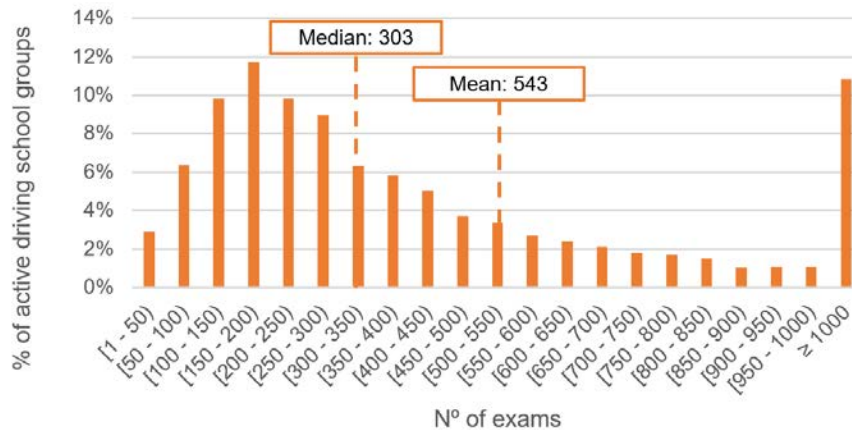
On average, driving school groups had 17 vehicles in 2023 and handled 543 exams. However, the distribution is skewed (see Figures 6 and 7). Half of the groups operate with 5 or fewer vehicles and handle fewer than 300 exams per year.

Figure 6. Distribution of the total number of driving schools in 2023, by number of vehicles



Source: Authors' elaboration with data from the DGT and SABI.

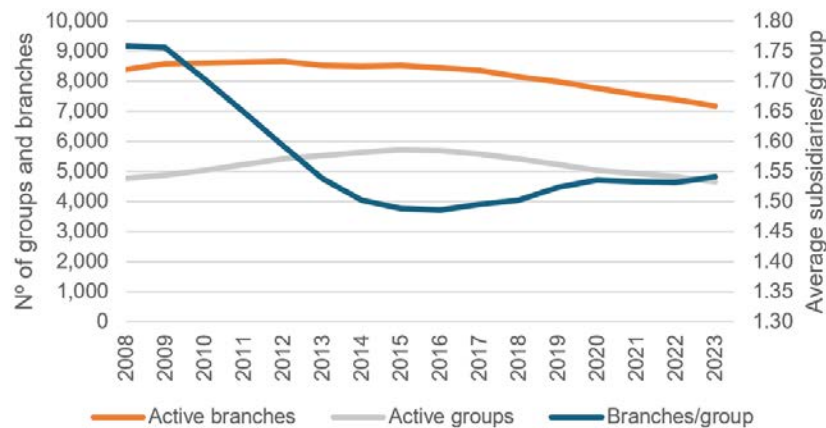
Figure 7. Distribution of the total number of driving schools in 2023, by number of exams



Source: Authors' elaboration with data from the DGT and SABI.

Figure 8 shows the sector's moderate growth in the **number of active driving schools** up to 2015, followed by a significant consolidation in both the number of groups and branches. In total, the number of branches per driving school has declined from an average of 1.76 in 2008 to 1.54 in 2023.

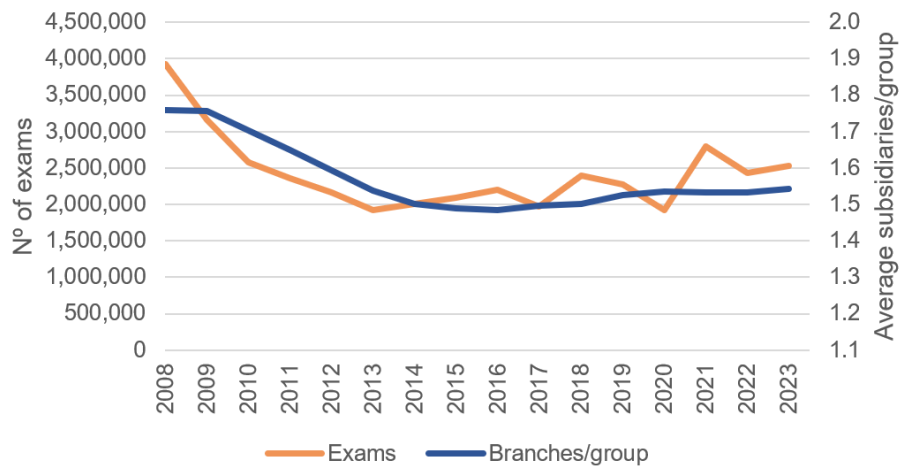
Figure 8. Evolution of the number of active driving schools and branches



Source: Authors' elaboration with information from the DGT.

This reduction may reflect the sector's adaptation to the decline in demand for driving exams registered since 2008. As shown in Figure 9, the average number of branches per driving school closely mirrors exam trends, suggesting that driving schools have primarily responded to the fall in demand by reducing the number of branches opened and, to a lesser extent, closing schools altogether.

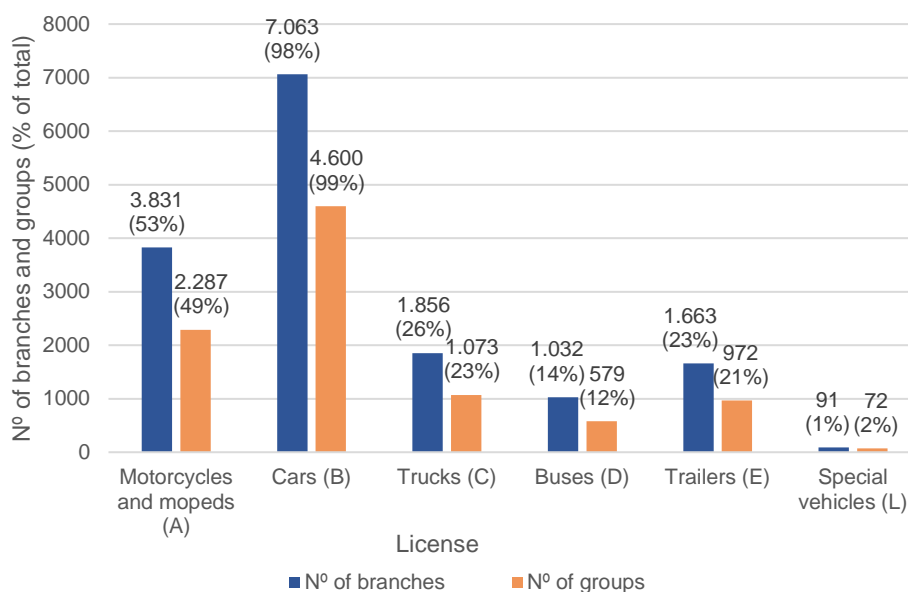
Figure 9. Number of branches per driving school group and exams conducted



Source: Authors' elaboration with data from the DGT.

If the **type of demand served** is considered, most driving schools primarily train students seeking light vehicle licences. Figure 10 shows that in 2023, 98% of driving school groups (99% of branches) entered students for category B licence exams, and around half (49% of groups and 53% of branches) entered students for category A licence exams. The number of groups that entered students for categories C and D licence exams was much smaller, representing 23% and 12% of the total, respectively (or 26% and 14% of branches). Overall, 76% of driving school groups exclusively entered students for light vehicle licence exams, while 23% catered to both light and heavy vehicle licences (in the case of branches, it was 73% and 26%, respectively). Only 1% of the groups and branches specialized exclusively in heavy transport and agricultural permits (see Table 4).

Figure 10. Number of driving school and branch groups, in 2023, by type of licence



Source: Authors' elaboration with data from the DGT and SABI. Note: Classification of DGT licences according to the type of vehicle: A licence (A1, A2, AM, AML, LCC), B licence (C, C1), D licence (D, D1), E licence (B96, B+E, C+E, C1+E, D+E) and L licence (LCM, LVA). See Annex III for a descriptive table of the different licences and their classification.

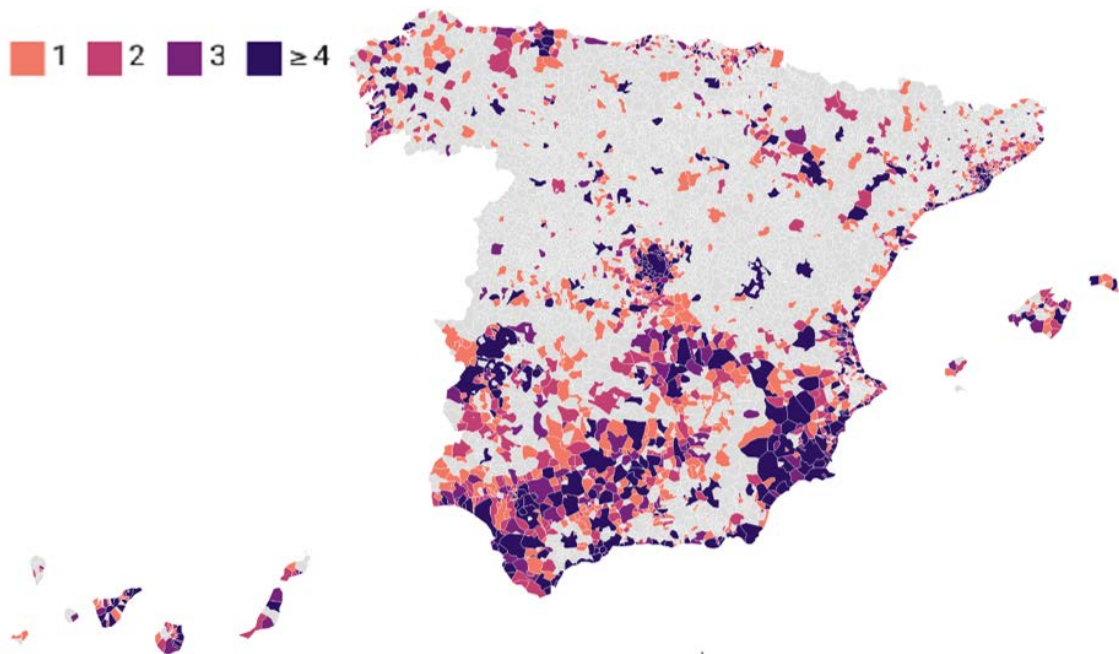
Table 4. Specialization of driving school groups by vehicle category, 2023

Vehicle Category	Light vehicles	Heavy/agricultural vehicles	Non-specialized
No. of groups (% of total)	3,534 (76%)	38 (1%)	1,082 (23%)
No. of branches (% of total)	5,226 (73%)	57 (1%)	1,890 (26%)

Source: Authors' elaboration with data from the DGT and SABI. Note: DGT licences are classified according to the type of vehicle between licences for light vehicles (A, A1, A2, AM, AML, LCC, B, B96, B+E and LCM), and for heavy transport and agriculture (C, C1, C+E, C1+E, D, D1, D+E and LVA). See Annex III for a descriptive table of licences and their classification.

Figure 11 below shows the **geographical distribution** of driving school groups across Spanish provinces, based on the number of driving school groups with at least one branch in each province. In this sense, the greater presence of different groups in major urban centres, the Mediterranean arc and the south stands out,

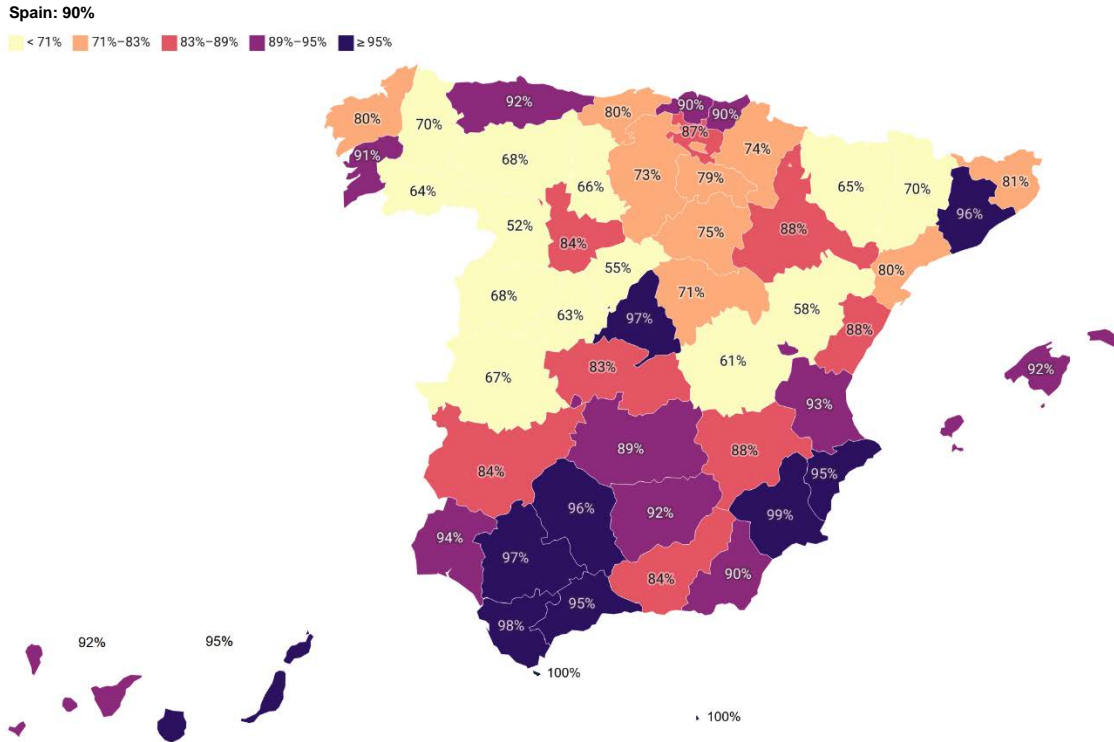
Figure 12. Number of active driving school groups in Spanish municipalities, 2023



Source: Authors' elaboration with data from the DGT and SABI.

Regarding service **accessibility**, 90% of the population nationwide lives in municipalities with at least one driving school. Figure 13 shows the breakdown by province. As before, accessibility is higher in the most populous provinces, the Mediterranean arc and the south of the Peninsula (with a maximum of 99% in Murcia), while it is lower in the provinces of Castilla y León, Aragón or Galicia (with a minimum of 52% in Zamora). The lack of service accessibility can have a particularly significant impact on smaller municipalities, which, on average, tend to have lower incomes and a greater reliance on private vehicles for transportation, as they are located in rural environments.

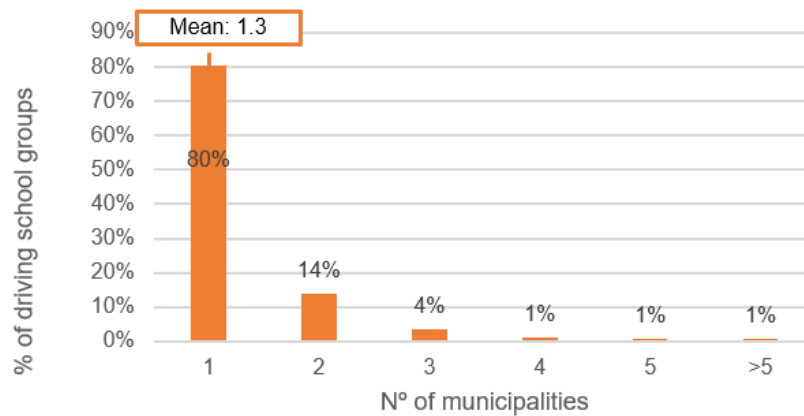
Figure 13. Percentage of population with at least one driving school in the same municipality in 2023, by province



Source: Authors' elaboration with data from the DGT and INE.

The sector exhibits a high level of **geographical fragmentation**. Data available for 2023 indicates that most driving school groups (80%) operate in a single municipality, either with one or multiple branches (see Figure 14), while only 6% of the groups are present in more than 2 municipalities.

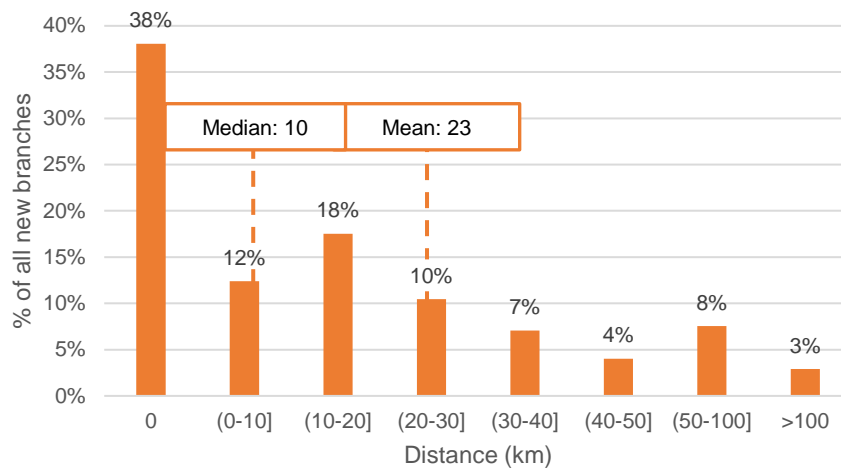
Figure 14. Driving school groups by number of municipalities in which they operate, 2023



Source: Authors' elaboration with data from the DGT and SABI.

Another factor highlighting the geographical fragmentation of the sector is the **pattern of opening new branches** by business groups. Between 2008 and 2023, of the 8,051 new branches opened, 38% were located in the same municipality as their parent company's headquarters (see Figure 15), while 89% of the new branches were established within 50 km or less from the municipality of their parent company's headquarters. On average, the new branches were situated in municipalities 23 kilometres from the headquarters' municipality.

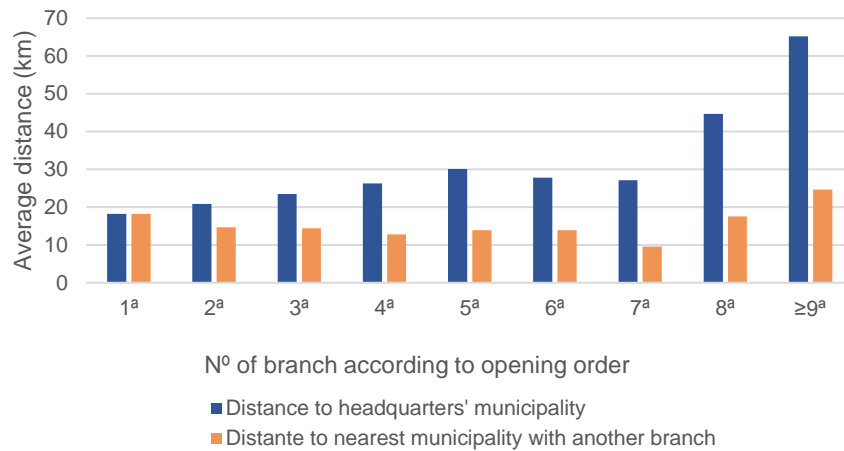
Figure 15. Distance between the municipality of the parent company and that of the new branches opened between 2008 and 2023



Source: Authors' elaboration with data from the DGT and SABI. Note: The first branch of the group is considered to be the parent company by date of registration in the DGT Driving Schools Register. In case of concurrence of dates, the branch with the highest number of exams carried out in that year is taken. The data reflect the distribution of the total number of new branches according to the distance between their municipalities and the parent municipality (more information in Annex II).

When considering the order in which branches are opened, the average distance between the municipalities of new branches and the municipality of the parent company remains between 20 and 30 km for groups with between 2 and 8 branches. This distance decreases to between 10 and 20 km when using the nearest municipality with an existing branch of the same group as reference (see Figure 16). Only the largest groups, starting from the ninth branch (excluding the headquarters), expand to municipalities located more than 60 km from their headquarters, though the average distance from the nearest branch municipality remains between 20 and 30 km. The influence of existing branch proximity on the decision to open new branches underscores the local nature of the market (for more details, see Annex IV).

Figure 16. Average distance between the municipality of the new branches and that of the parent company or the nearest branch, between 2008 and 2023, in order of branch opening



Source: Authors' elaboration with data from the DGT and SABI. Note: The first open branch of the group is considered a parent company. In case of concurrence of registration dates, the branch with the highest number of exams in that year is taken. The Figure shows the average distance between the municipality of the new branches opened between 2008 and 2023, and the municipality of its parent company (blue) or the nearest municipality with a branch of the same group (orange), depending on the order of opening of the new branch in relation to the rest of the branches of the group.

4.1.3. The business structure and competitive situation of the sector

This section analyses the **concentration** of the driver training services sector using the Herfindahl-Hirschman Index (HHI).¹¹³

To calculate the HHI, it is essential to determine the geographical area of interest. The previous section showed that 72% of driving school groups operate a single branch (Figure 5), and 80% are present in only one municipality (Figure 14). On the demand side, proximity to home is one of the factors in choosing a driving school. These elements together highlight the local nature of the activity.

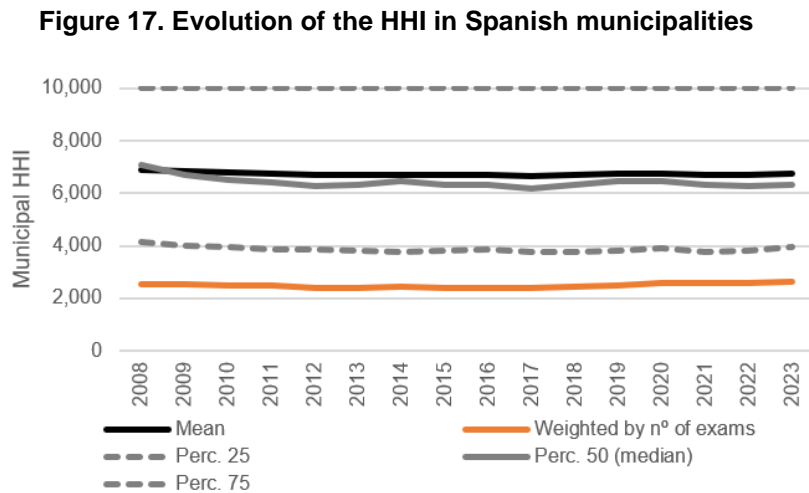
¹¹³ The HHI is a commonly used measure to analyse the degree of market concentration. It is calculated by summing the market shares of each company, squared, according to the following formula:

$$HHI = \sum_{i=1}^N s_i^2$$

Where s_i is the market share of company i , and N is the total number of companies in the market. The index can take any value between 0 (no concentration) and 10,000 (monopoly).

Therefore, the HHI have been calculated at the municipal level, using the location data of driving school branches provided by the DGT¹¹⁴. The municipal indices are based on the total number of exams of all the licence categories conducted by each group in each municipality, relative to the total number of exams conducted in the respective municipality. The rest of the analysis in the section takes as a reference this municipal HHI calculated from the number of exams.

Figure 17 below shows the **aggregate evolution of municipal HHI**. The average HHI across all municipalities in Spain is high and has remained stable over time, at around 7,000 points (6,731 in 2023). In fact, 75% of the 2,235 Spanish municipalities with driving schools between 2008 and 2023 have concentration rates above 4,000 points, and at least 25% had a single operator (HHI of 10,000). However, the municipalities with the highest demand have significantly lower HHI, so the average index weighted by the number of exams in the municipality is around 2,500 points (2,617 in 2023).

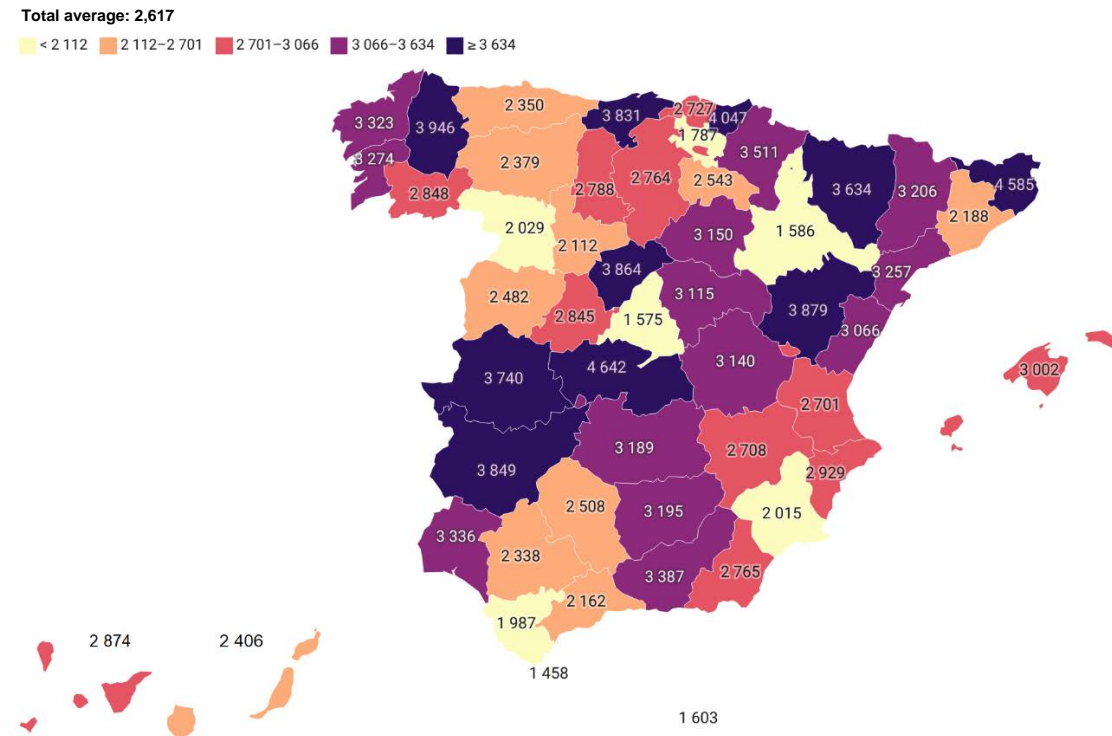


Source: Authors' elaboration with data from the DGT and SABI. Note: Municipal HHI calculated from the number of annual exams conducted by each group in each municipality.

The following map shows the **average municipal HHI for Spanish provinces**, weighted by the number of exams in each municipality. This figure reveals significant heterogeneity between provinces, with indices ranging from 1,458 in Ceuta, to 4,642 in Toledo.

¹¹⁴ This index can be used as an indicator to roughly estimate, in an imperfect and aggregated way, the level of concentration in the markets, since it is based solely on geographic proximity and does not include other factors such as the type of licence.

Figure 18. Average municipal HHI of Spanish provinces in 2023, weighted by the number of exams in each municipality

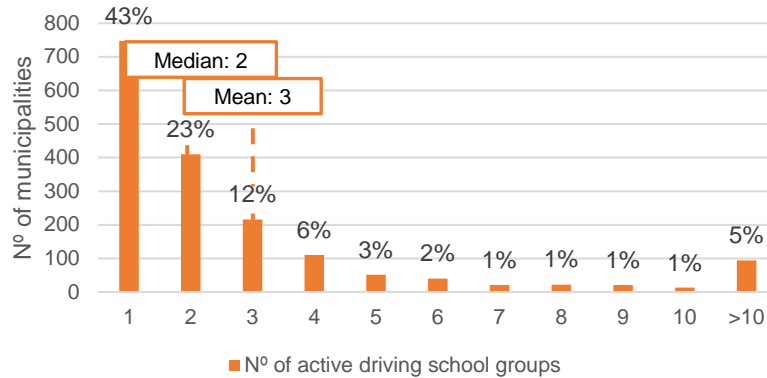


Source: Authors' elaboration with data from the DGT and SABI. Note: Municipal HHI calculated from the number of exams conducted by each group in 2023. Provincial HHI calculated as the average of the HHI of the municipalities of the province, weighted by the weight of each municipality over the total number of tests conducted in the province.

A more detailed analysis of the local concentration index reveals that a large number of municipalities have only one active driving school group. This accounts for 43% of the 1,745 municipalities with a driving school in 2023 (see Figure 19). One of the main reasons for this is the small size of these municipalities¹¹⁵.

¹¹⁵ The municipal HHI has a negative relationship with the population aged 15 to 34 in the municipality. All municipalities with an HHI of 10,000 have a population in this age group of fewer than 10,000 inhabitants (see Annex IV).

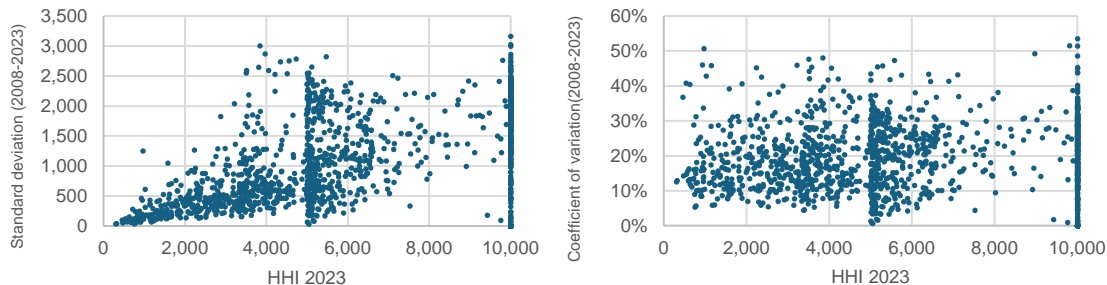
Figure 19. Distribution of Spanish municipalities with driving schools in 2023, according to the number of active driving school groups



Source: Authors' elaboration with data from the DGT and SABI.

Finally, it is possible to analyse the **evolution of municipal HHI** from 2008 to 2023. The following figure shows the relationship between the HHI of each municipality in 2023 and its stability between 2008 and 2023, measured by the standard deviation (left) and the coefficient of variation of the HHI of each municipality between 2008 and 2023¹¹⁶ (right).

Figure 20. Variation of municipal HHI between 2008 and 2023, and their relationship with the 2023 HHI, by municipality



Source: Authors' elaboration with data from the DGT and SABI. Note: Municipal HHI calculated from the number of exams conducted by each group in each municipality in 2023. Standard deviation for each municipality calculated from the annual municipal HHI values between 2008 and 2023. The coefficient of variation is defined as the ratio between the standard deviation of the HHI between 2008 and 2023 and its average value in this period.

¹¹⁶ In statistics, the standard deviation is a measure of the dispersion of a data set in relation to its mean value. In the field of competition, there is a negative relationship between the HHI index and the number of operators in the market, meaning that a higher HHI index may lead to a greater standard deviation (the impact on the HHI of the entry or exit of new operators is greater when the initial number of companies is smaller). Following the methodology proposed by the OECD (2021), the coefficient of variation has also been calculated to measure the volatility of concentration. This divides the standard deviation by the mean, thus providing a measure of relative dispersion.

The figure above reveals some notable patterns. First, municipalities with the highest concentration index in 2023 also tend to have greater variability (standard deviation) in their HHI between 2008 and 2023, as shown by the positive relationship in the graph on the left. However, this positive relationship disappears when considering the coefficient of variation of the index (figure on the right). The absence of a negative relationship in both figures suggests that more concentrated municipalities are not more stable than less concentrated ones, which is favourable from a competition perspective.

Second, both figures show significant clustering around the values of 5,000, which can correspond to a market with two operators with an equal distribution of the market, and 10,000, which is a monopoly¹¹⁷. The spread of the values on the vertical axis suggests that the competitive situation in many of these municipalities has changed between 2008 and 2023, with significant entries or exits of operators. Some municipalities exhibit low standard deviations, indicating stability over the years.

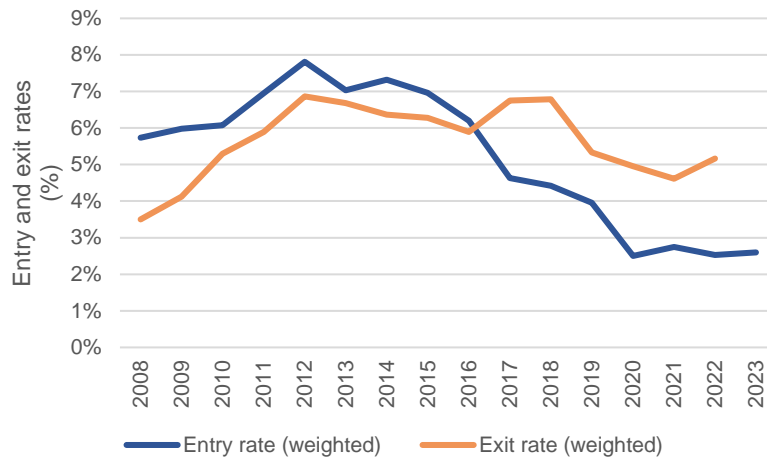
Finally, the direction of change in the municipal HHI between 2008 and 2023 has been analysed for the subset of municipalities that had at least one driving school in both years (1,645). The analysis shows that most municipalities had an HHI in 2023 equal to (28%) or higher (38%) than in 2008, while 34% had a lower HHI. In addition, all municipalities with a constant HHI had a single operator (more details in Annex IV).

Another indicator for market competition is the **entry and exit rate of operators**¹¹⁸. As shown in Figure 21, both the entry rate and the average exit rates have not exceeded 8% between 2008 and 2023. Since 2017, the sector has shown less dynamism, with a drop in the number of groups, caused by a drop in the entry rate to 3% and a stabilization of the exit rate at around 5%.

¹¹⁷ Only 4% of municipalities with an HHI of 5,000 points or higher in 2023 had more than two active driving school groups.

¹¹⁸ Following the OECD methodology, the entry rate is calculated as the number of new driving school groups in a municipality divided by the total number of driving school groups in that municipality. The exit rate is calculated as the number of exiting driving school groups divided by the total number of driving school groups in a municipality. The turnover rate is defined as the sum of both (OECD, 2021).

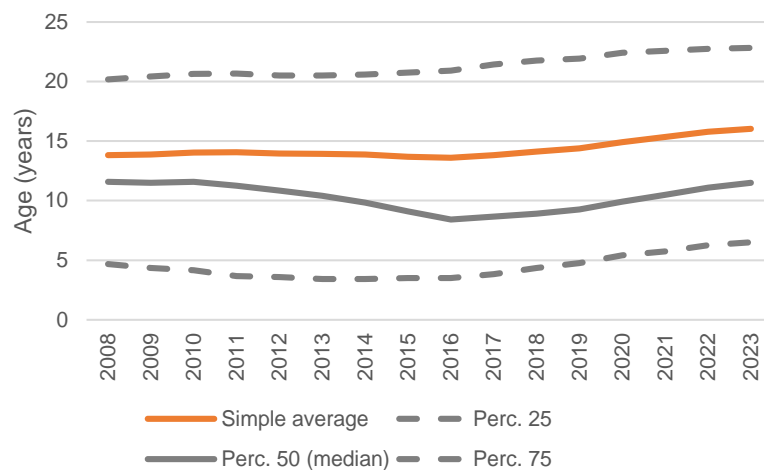
Figure 21. Evolution of the entry and exit rates of driving school groups in Spanish municipalities between 2008 and 2023



Source: Authors' elaboration with data from the DGT and SABI. Note: The Figure shows the average entry and exit rates of groups in Spanish municipalities each year, weighted by the number of exams conducted in each municipality.

A final indicator of the degree of maturity of the driving school market is the increase in the **average age of branches**. This has risen from just under 14 years in 2008 to 16 and a half years in 2023 (Figure 22). This increase is consistent across all sections of the distribution, so that in 2023 half of the branches were at least 11 and a half years old.

Figure 22. Evolution of the average age of branches between 2008 and 2023



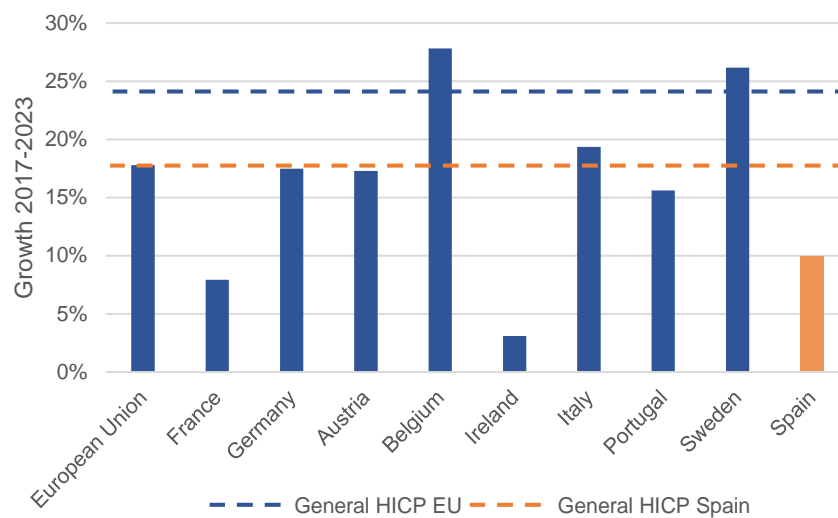
Source: Authors' elaboration with data from the DGT. Note: The age data for 2023 is as of September 30, 2023 (latest available data).

In conclusion, the driver training services sector is atomized and geographically fragmented. Most groups operate a single branch or are present in only one municipality. The sector has a clear local character, where even groups that open new branches tend to do so mostly in the municipality of departure or in nearby ones. At the same time, it is a mature market, with an increasing age of the companies installed and a reduction in entry and exit rates in recent years. Finally, concentration rates are stable, and a large number of municipalities have a monopoly.

4.1.4. Driving school services: prices, efficiency and quality

With regard to **prices**, publicly available data is sourced from the harmonised CPI. This price index is standardized at the EU level and includes a subclass covering driver training services, driving tests and ITV stations¹¹⁹. As shown in Figure 23, Eurostat data reveals that Spain has experienced one of the smallest price increases among European countries in this category since 2017, with a rise of just 10%, surpassed only by Ireland (3%) and France (8%).

Figure 23. Evolution of the Harmonised CPI for driving schools and ITV between 2017 and 2023



Source: Authors' elaboration with data from Eurostat.

At the national level, in 2019 the Organization of Consumers and Users (OCU) carried out a study of the rates applied by driving schools for the category B

¹¹⁹ The subclass 7243 "Driving schools, driving tests, driving licences, and vehicle inspections".

licence in Spain¹²⁰. Driving schools typically charge an initial registration fee (which may or may not include a batch of services, teaching materials or a number of theoretical and/or practical lessons) and then charge for theoretical and practical training (they usually offer lesson bundles at discounted prices). The price usually includes the cost of procedures with the DGT.

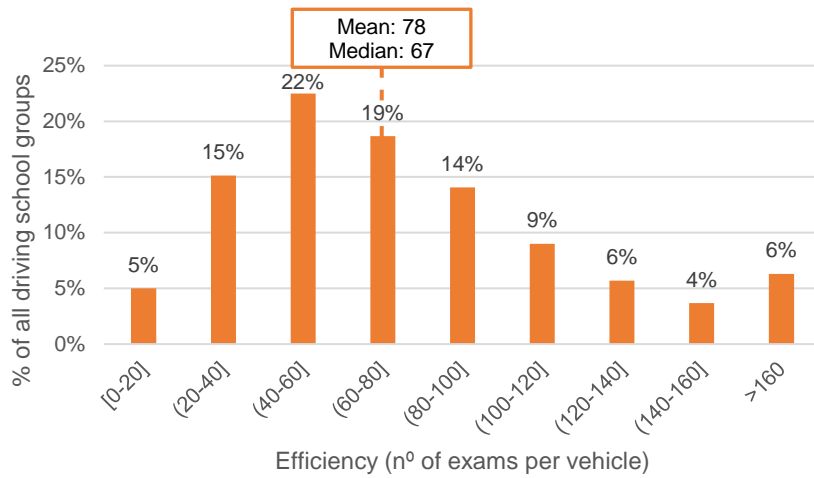
According to the OCU, the final price varies greatly depending on location and the number of lessons. In 2019, the average cost was €665 for a student taking 15 practical lessons of 45 minutes and passing both the theoretical and practical exams on their first attempt, increasing to €1,482 for 35 practical lessons and renewal of exam fees on one occasion.

Another variable of interest is efficiency. In this sense, technical efficiency is usually defined as the ability of a company to maximize its output while minimizing the amount of productive resources used. The available data allows us to analyse the capacity of driving school groups to manage a greater number of total exams (as an indicator of their number of students) using a smaller number of the two productive resources observed: the number of vehicles and the number of premises. The lack of available data (see Annex II for more detail) precludes a more in-depth analysis that takes into account the efficiency in the use of other productive resources (e.g. personnel) or economic efficiency due to cost savings.

The figures below show the estimated efficiency distribution of driving school groups in 2023, approximated according to the number of exams conducted that year per assigned vehicle (Figure 24) or by number of branches in the group (Figure 25). The Figures show that the distribution is skewed to the right in both cases, with an average of 78 exams per vehicle and 319 exams per branch.

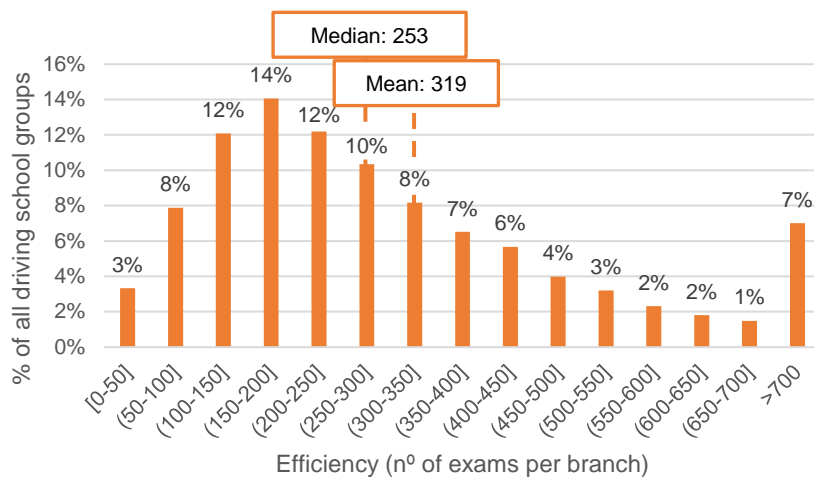
¹²⁰ The study used a sample of 394 driving schools from 33 Spanish cities (OCU, 2019). The conclusions of the study can be found at the following [link](#) (in Spanish).

Figure 24. Distribution of driving school groups, based on efficiency per vehicle



Source: Authors' elaboration with data from the DGT and SABI.

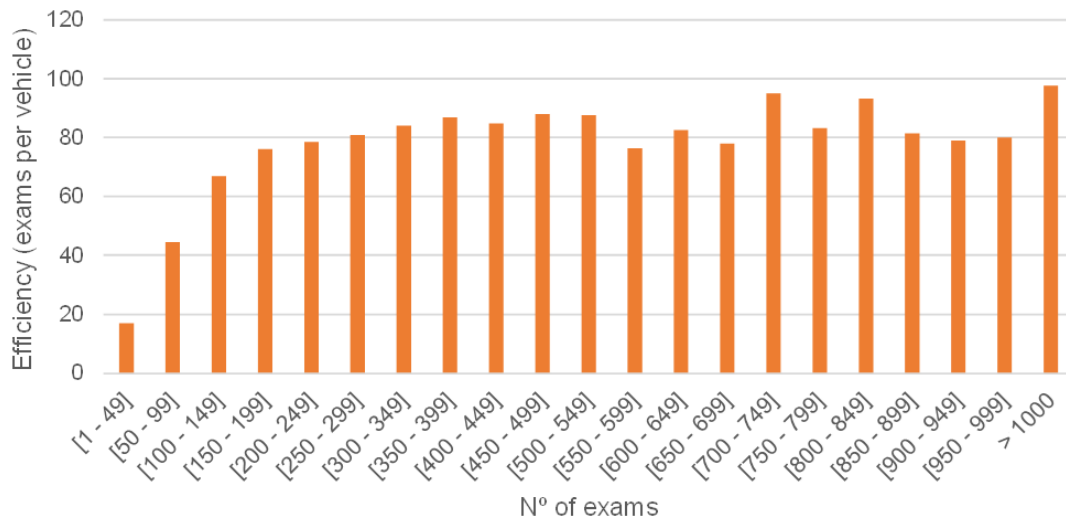
Figure 25. Distribution of driving school groups, based on efficiency per subsidiary



Source: Authors' elaboration with information from the DGT and SABI.

It is of interest to analyse how the use of productive resources varies when the scale of production changes. Figure 26 shows the estimate of the average efficiency of driving school groups, measured in terms of exams per vehicle, based on the number of exams they conducted in 2023.

Figure 26. Efficiency, in terms of exams per vehicle, of driving school groups, based on the number of exams conducted in 2023

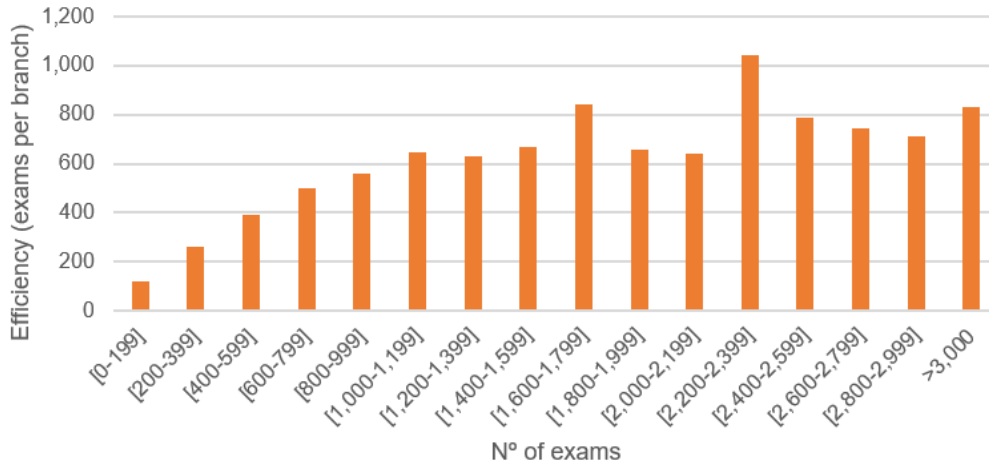


Source: Authors' elaboration with data from the DGT and SABI.

Data suggests that driving schools with a higher number of exams achieve a better average use of their vehicles, in the sense that they are able to conduct more exams per vehicle. However, there is a limit, around 200 exams, from which the average use remains almost constant at around 80 exams per vehicle. The optimal use of the vehicle seems to be found at this point, so that the driving school hires a greater or lesser number of vehicles to keep this ratio constant in the face of changes in demand. However, in view of Figure 24, 61% of driving school groups operate below this level of optimal level, suggesting that many could benefit from scaling up operations.

Regarding premises, Figure 27 shows the average efficiency of driving school groups, in terms of exams per branch in 2023. Thus, the average use of the premises seems to increase until the driving school reaches around 1,000 exams and, from this limit, fluctuates around 800 exams per branch. To analyse whether there is an optimal point of utilisation, it would be necessary to carry out a more detailed analysis considering branch size, capacity, differences in the costs of the premises, or location-related demand factors.

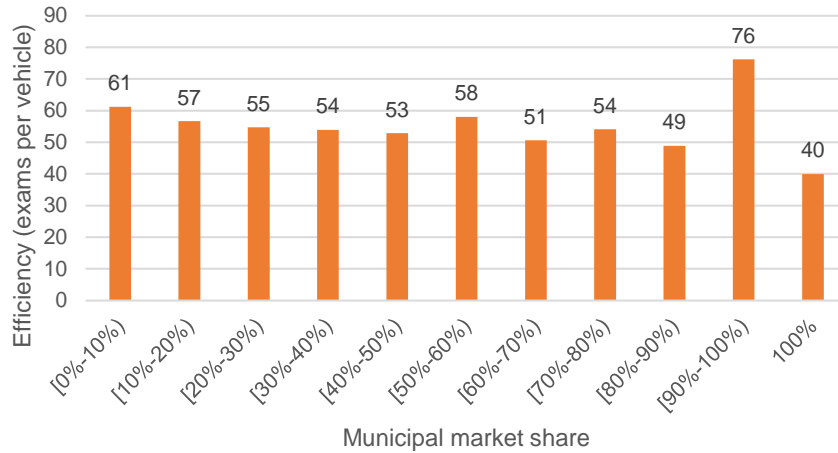
Figure 27. Efficiency, in terms of exams per branch, of driving school groups, based on the number of exams conducted in 2023



Source: Authors' elaboration with information from the DGT and SABI.

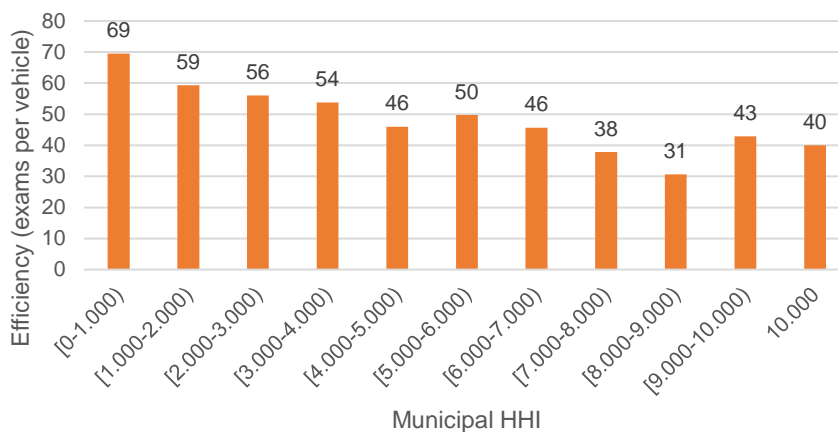
One area of interest for the analysis of efficiency is its relationship with the level of competition in the market. A priori, a more competitive market should encourage driving schools to be more efficient. Figures 28 and 29 below explore the relationship between the average efficiency of driving school groups, measured in terms of tests per vehicle, and different indicators to approximate the degree of competition in the market, either the municipal market share of the corresponding group (Figure 28) or the HHI of the municipality (Figure 29) measured in terms of exams. The results suggest that there could be a negative relationship between efficiency and market power indicators, more intense in the case of the HHI. However, municipalities with higher market concentration indicators are also often small municipalities, which could also negatively affect the ability of driving schools to operate at an efficient scale.

Figure 28. Average efficiency of driving school groups in 2023, based on their municipal market share



Source: Authors' elaboration with data from the DGT and SABI.

Figure 29. Average efficiency of driving school groups based on the HHI of the municipality in which they operate, in 2023



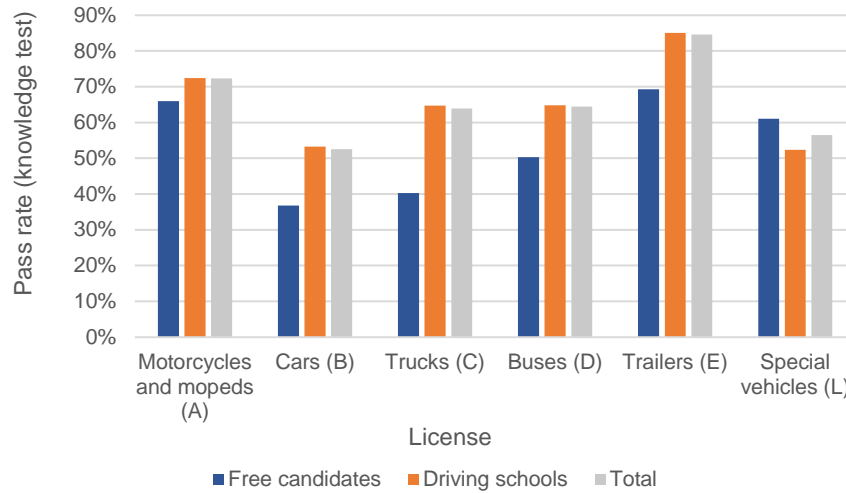
Source: Authors' elaboration with information from the DGT and SABI.

A final aspect of interest is quality. In the absence of other indicators, the information available on the exams conducted by driving schools allows the quality of their training to be approximated by the pass rates of their students in DGT exams.

Figure 30 shows the pass rate for all the specific theoretical and theoretical exams conducted during 2023, according to the type of licence and whether the

student comes from a driving school or takes the exam independently¹²¹. Overall, driving school training appears to enhance the likelihood of passing across most licence categories, except for agricultural vehicle licences (category L licences), which are also the only licence category for which there is a high percentage of students who take the exam independently (see Figure 4 above).

Figure 30. Pass rate for the specific theoretical and theoretical exams taken in 2023, by student origin and category of licence

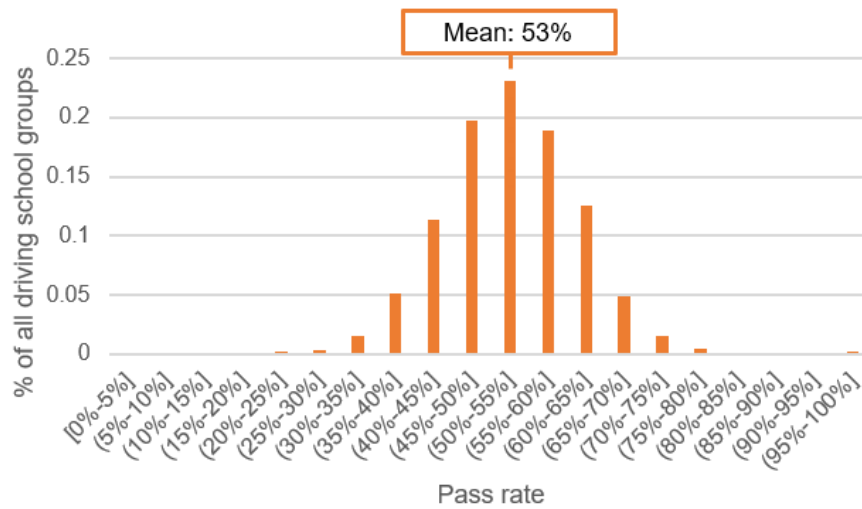


Source: Authors' elaboration with information from the DGT.

On the other hand, Figure 31 below presents the distribution of driving school groups based on their pass rates, a possible indicator of the quality of the training. The distribution is centred around the mean, 53% and has a standard deviation of 9%. 50% of the driving school groups registered a pass rate above the average, with 62% of the groups between 45% and 60%.

¹²¹ The information related to the skill tests and the practical exam has not been analysed due to the lack of a sufficiently representative sample of students from the open turn. See Annex II for more details on the number of exams by test type and licence category.

Figure 31. Distribution of driving school groups based on pass rates, 2023

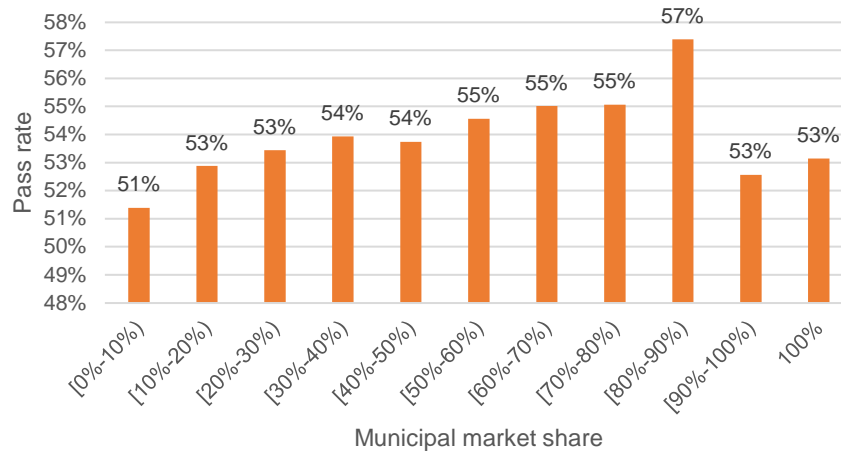


Source: Authors' elaboration with information from the DGT and SABI.

Finally, it is possible to analyse the relationship between the quality of driving school groups' services and the competitive landscape of the market, based on the market share of each group (Figure 32) and the HHI of the municipality in which it operates (Figure 33). Available data suggests that driving school groups with the highest pass rate in a municipality also have a larger market share in that municipality. The quality of training is also positively related to the HHI. Thus, driving schools that offer higher quality could be more successful in attracting students. In turn, larger groups may have more resources to provide quality training. In addition, this relationship could be explained by differences in the difficulty of the exams between larger and smaller municipalities.

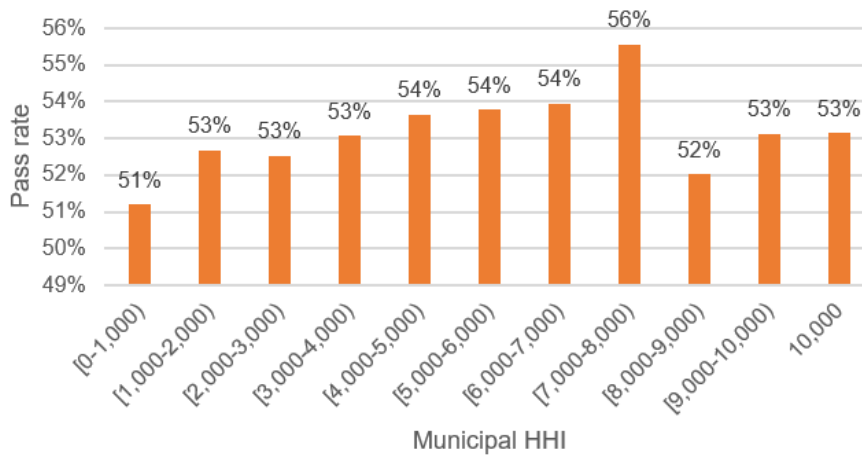
Finally, driving schools with greater market power (with market shares above 90%, or present in municipalities with HHI above 8,000 points) seem to have a lower percentage of passes on average. However, the detailed information at the level of driving school groups presented in Annex II shows a high dispersion of the quality of training in municipalities with a single operator.

Figure 32. Average pass rate of driving school groups based on their market share in the municipality, in 2023



Source: Authors' elaboration with data from the DGT and SABI.

Figure 33. Average pass rate of driving school groups based on the HHI of the municipality in which they operate, in 2023



Source: Authors' elaboration with data from the DGT and SABI.

4.1.5. Driving school associations

At the national level, the most significant sectoral association, both in terms of influence and membership, is the National Confederation of Driving Schools,

CNAE¹²². This association is composed of 52 provincial associations¹²³. Sometimes, these provincial associations manage or represent, through other statutory links, the interests of municipal associations or those related to examination areas of the province¹²⁴. In addition, there are other sectoral associations with a more limited reach.

Beyond representing the interests of the sector, these associations typically offer their members some of the following services:

Management of the resources needed to provide the service:

- Employment platforms for driving schools and instructors.
- Some associations manage practice grounds for manoeuvring or dexterity practice on a closed circuit¹²⁵. The rental, acquisition and rehabilitation of such land can require a substantial investment for an individual driving school, an expense which is reduced when shared among multiple schools.
- Digital and printed teaching materials, as well as resources for online courses¹²⁶.

Advice or administrative outsourcing: some associations offer advisory services or provide labour, tax or accounting management services for training centres¹²⁷. They also serve as intermediaries for administrative procedures with the DGT or regional authorities, including branch, staff or vehicle registration and

¹²² The importance of CNAE is reflected in the fact that it is the only employer association that negotiates the sector's collective bargaining agreements, with 100% representativeness (see the [XXIII National Collective Agreement for Driving Schools](#) and the [recent agreement to create](#) the Negotiating Committee for the XXIV National Collective Agreement for the sector).

¹²³ See the [General Assembly of CNAE](#). Alternatively, see the CNAE website ([link](#)).

¹²⁴ For example, the Board of Directors of the FAB is composed of representatives from each of the existing exam zones in the province (Barcelona, Mancomunidad de Sabadell and Terrassa, Vilafranca, Mataró, Granollers, Manresa, and Vic).

¹²⁵ As an example, in 2011, the FAB had the right to use five provincial public-owned lands in the municipalities of Barcelona (Sot del Migdia), Mataró, Sabadell - Terrassa, Granollers, and Vilafranca (ACCO, 2011). The Valencian Driving School Association (AVAE) manages practice grounds in Valencia through the company AVAE Escuela de Conductores S.L. (see the respective websites of [AVAE](#) and [Escuela de Conductores](#)). In the city of Sevilla, the Provincial Driving Schools Association of Sevilla leased and managed access to the Las Moreras tracks, based on an agreement with the Andalusian Federation of Transport (CDCA, 2016).

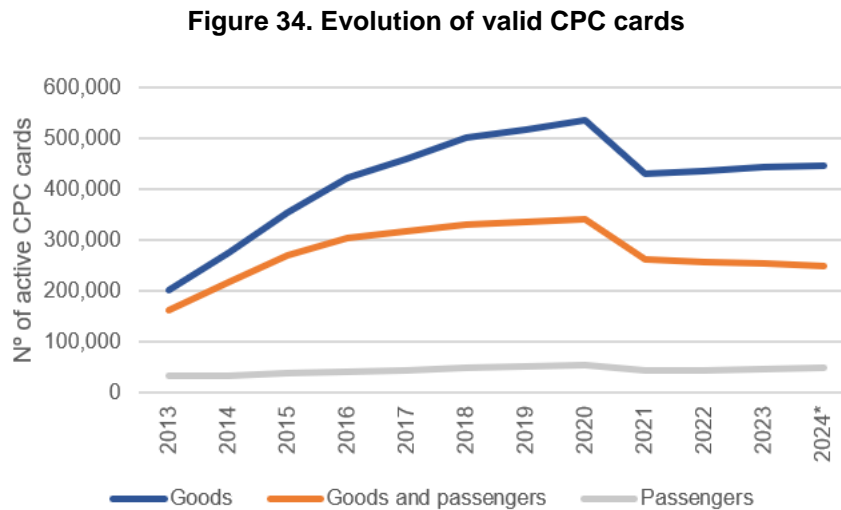
¹²⁶ For example, see the websites of the [CNAE publisher](#), its [IT product store](#), and the [Didacticar](#) and [Didacticap](#) programs for theoretical training for the B licence and CPC, respectively, the [eTestWeb](#) application for the theoretical exam practice, and the digital platform [Aula Virtual](#) for distance learning.

¹²⁷ This is the case of the [Barcelona Driving School Federation](#) (FAB) or the [Valencian Driving School Association](#) (AVAE), for example.

deregistration¹²⁸, management of CPC courses¹²⁹, or processing student exam applications¹³⁰.

4.2. Training for obtaining the CPC

According to data from the Ministry of Transport and Sustainable Mobility (Ministerio de Transportes y Movilidad Sostenible, MTMS)¹³¹, in September 2024 there were nearly 750,000 valid CPC cards in Spain, of which 60% were issued for professional freight transport, 7% for passenger transport and 33% for both types of transport. Following the pandemic, the number of valid CPC cards has seen a significant decline after the pandemic and has since plateaued (see Figure 34).



Source: Authors' elaboration with data from the MTMS. Note: Data for 2024 is as of September 30 (latest available).

With regard to CPC centres, according to the data published by the MTMS¹³², in September 2024 there were 4,569 branches authorised for CPC courses in Spain. Figure 35 illustrates the geographical distribution of these CPC centres

¹²⁸ Procedures offered, for instance, by the provincial associations of [Madrid](#) or [Barcelona](#).

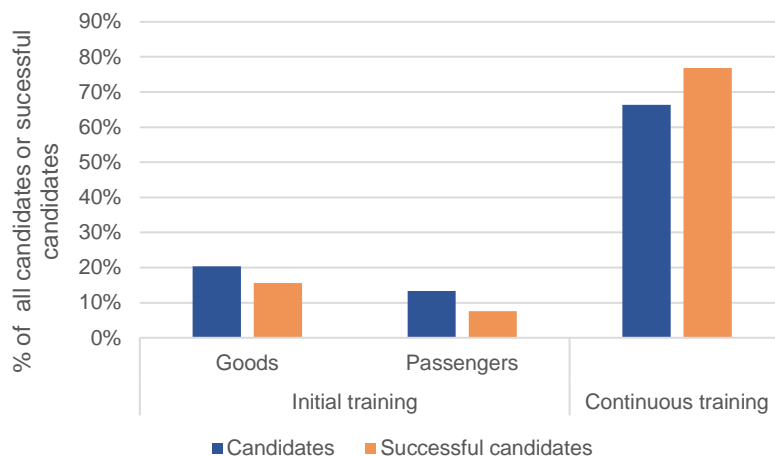
¹²⁹ The CPC Platform offered by CNAE allows the processing of course authorizations, their accreditation, and communication to the MTMS ([link](#)).

¹³⁰ CNAE offers its application Pasarela, which is connected to the DGT's computer system, for managing exam applications.

¹³¹ From the Observatorio del Transporte y la Logística en España.

¹³² MTMS, Authorized Centers for CPC training, accessible [here](#).

Figure 36. Distribution of CPC courses completed and eligible students, by course modality



Source: Authors' elaboration with data from the MTMS.

Finally, based on the list of CPC centres provided by the MTMS, an estimation has been made to identify companies that could also operate as driving schools¹³⁴. The results show that around 56% of CPC branches concurrently offer driving schools services, indicating a significant level of complementarity between the two activities from a supply perspective.

4.3. ADR Permit Training

According to the DGT, in 2023 there were 1,183 training centres in Spain for driving vehicles that transport dangerous goods¹³⁵.

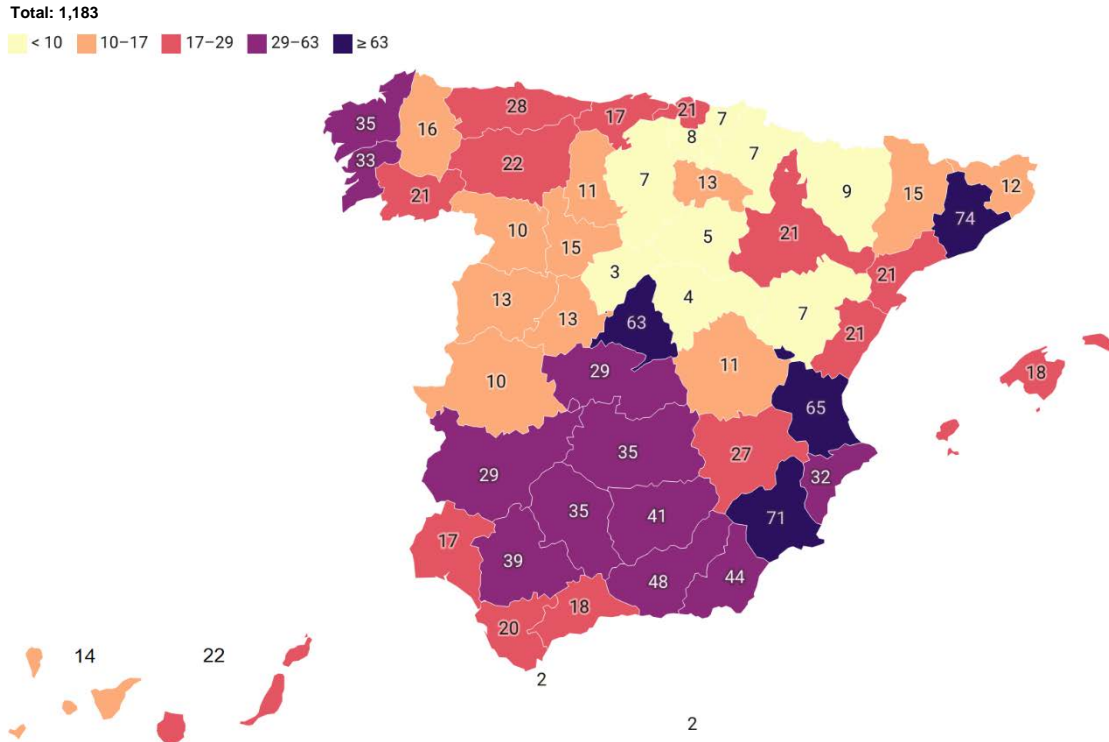
The geographical distribution of ADR centres (Figure 37) closely mirrors that of the rest of the categories of training centres, with a greater presence of companies in the largest population centres. However, certain provinces, such as

¹³⁴ To this end, CPC centres that include terms such as "autoescuela", "auto escuela", "auto-escuela", "autoescuela", or "autoeskola", among other variations, in their name have been considered as providing services typical of driving schools. CPC centres whose name matches that of any driving school registered in the driving school registry provided by the DGT have also been considered as providing joint services. The calculation made is an approximation of the number of companies providing joint services, which may not correspond to reality in cases of errors in the names of the centres registered by the MTMS and DGT, if CPC centres operate as driving schools without their name reflecting this, or if driving schools transition to CPC training while retaining their original name.

¹³⁵ The absence of a list of ADR centres prevents analysis of what percentage also operate as driving schools or CPC centres. However, the high degree of complementarity shown by other centres suggests that this percentage could be significant.

Murcia, stand out due to the notably high number of ADR¹³⁶. This distribution may reflect the proximity of ADR centres to key hubs for the origin and destination of dangerous goods flows.

Figure 37. Distribution of the number of active ADR centres in 2023, by province



Source: Authors' elaboration based on data from the DGT.

4.4. Training for the recovery of points

Training for the recovery of points is provided by two types of centres: those focused on road safety awareness and re-education, and those offering safe and efficient driving courses.

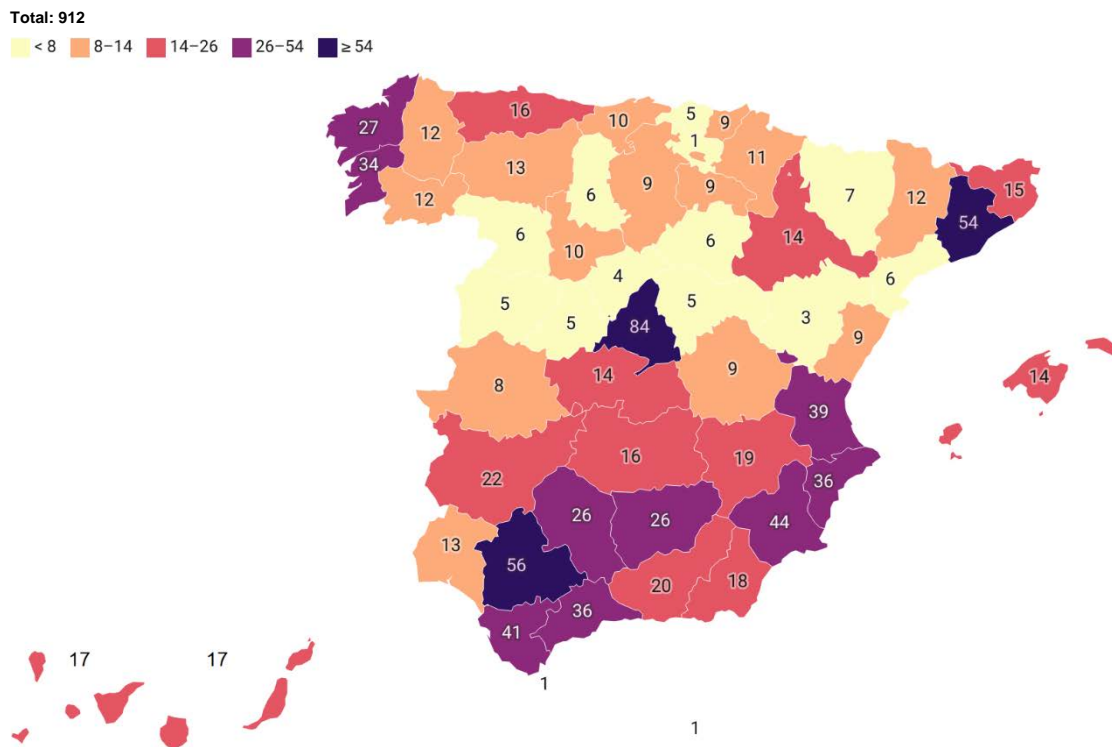
Regarding road safety awareness and re-education centres, in 2023, the regulatory framework for opening these centres shifted from an administrative concession system to a prior authorisation model. Under the concession system, 360 centres were set up for safety awareness and re-education courses,

¹³⁶ According to the Study and Map of Hazardous Goods Transport Flows by Road published by the Ministry of the Interior, Murcia was the third-largest province in hazardous goods transit in 2016, behind Madrid and Vizcaya. It was also the province with the highest transit of class 2 hazardous goods (gases), accounting for 29% of the national total, and the third for class 3 hazardous goods (flammable liquids), representing 17% of national transit (Ministry of the Interior, 2016). These figures are likely due to the petrochemical industry present in the region.

excluding Catalonia and the Basque Country. In contrast, between January and October 2024, the DGT has authorised 810 centres to offer these courses, more than doubling the previous number. This expansion suggests that the concession model significantly constrained supply, as previously highlighted by the CNMC and its predecessor, the CNC¹³⁷.

In total, by early October 2024, there were 912 centres authorised to provide awareness and re-education courses across Spain, including Catalonia and the Basque Country¹³⁸. Figure 38 below illustrates their geographical distribution, which is more dispersed compared to that of driving schools, with higher concentrations in major urban areas and in the southern half of the Peninsula.

Figure 38. Distribution of the number of active road safety awareness and re-education centres in October 2024, by province



Source: Authors' elaboration based on data from the DGT.

¹³⁷ See CNC (2009), CNMC (2014a), and CNMC (2015). In the latter, it was noted that: "The administrative concession [...] is the most restrictive and distortive option as it constitutes an "absolute market closure mechanism" through the granting of an exclusive right to the awarded party or parties, whether over the entire national territory or, as in this specific case, over five geographic areas (lots) of it".

¹³⁸ The DGT provides a list of sensitization and re-education centers, which can be consulted at the following [link](#). Additionally, the list of centers in Catalonia and the Basque Country can be found at the following links ([Catalonia](#) and the [Basque Country](#)).

From the list of road safety awareness and re-education centres, an estimate was made to determine how many companies might also operate as driving schools¹³⁹. In total, the analysis indicates that 66% of the awareness and re-education centres are likely to also function as driving schools, which suggests a strong complementarity between the two activities.

Lastly, the development of "safe and efficient driving courses" is planned, which will also allow the recovery of points. However, the regulations governing these courses have not yet come into effect, so there is no information available on the centres that will offer them.

¹³⁹ To this end, road safety awareness and re-education centers that include terms such as "autoescuela", "auto escuela", "auto-escuela", "autoescuela", "autoeskola", and other variations in their names have been considered as providing driving school services. Centers whose names match those of driving schools registered in the DGT driving school registry have also been considered to provide joint services. The calculation made is an approximation of the number of companies offering joint services, which may not correspond to reality in cases of errors in the registered names of centers and driving schools, where road safety awareness and re-education centers operate as driving schools without this being reflected in their names, or where driving schools discontinue their initial activities to offer road safety awareness and re-education courses while retaining their original names.

5. RESTRICTIONS ON COMPETITION AND EFFICIENT REGULATION

Sectoral regulation imposes a series of authorisations and requirements that affect the characteristics of training centres and of the professionals in charge of teaching, and the methodology used in training. This regulation is grounded in road safety objectives and aims to ensure that the training provided is effective and safe. However, the existence of sufficient justification does not amount to a blanket authorisation for the imposing any requirement, and the assessment of necessity and proportionality must be made with respect to each of the instruments or measures used, considered individually. In this sense, restrictions on access to and the practice of economic activities must be covered by some reason of general interest, and the instruments employed must be necessary to achieve the aim pursued and proportionate to the problems they seek to solve, as stipulated by Law 17/2009, on free access to and exercise of service activities.

Moreover, the **relationships between sector agents** also influence competition dynamics and consumer welfare. In certain cases, public administrations may shape these interactions, through their regulatory or managerial activity.

This section examines the various restrictions on competition and efficient regulation affecting the sector.

5.1. Driver training services functioning

This section explores the factors that shape the methodology or characteristics of driver training services. These affect both training provided by qualified centres and professionals and lay instruction.

5.1.1. Reservation of activity and restrictions on lay instruction

Article 62.1 of the Traffic Law establishes a reservation of activity in favour of driving schools, stating that "*The teaching of the knowledge and technique necessary for driving, [...] will be conducted by training centres. [...] training centres will require prior authorisation*". In other words, it is not possible to undertake theoretical or practical preparation for driving exams through a training centre that is not set up as an authorised driving school. However, the preparation of the theoretical test can be carried out independently ("free preparation") and it is possible to apply directly the DGT for testing.

In practical training, independent preparation is highly restricted¹⁴⁰. The only exception applies to obtaining an ordinary category B licence (passenger cars), through an accompanied driving system with a lay instructor. To do this, it is necessary to apply for a "driving learning permit", as outlined in the Order of July 29, 1981, regulating the driving learning permit. The Order imposes very restrictive requirements, notably that the vehicle used must be registered in the name of the instructor or apprentice and must be equipped with dual controls. This approach contrasts with other countries (see international comparison section), where accompanied driving is more accessible and, therefore, commonplace¹⁴¹.

The restrictions on this type of practice limit alternative training pathways and may hinder learners from gaining experience prior to obtaining a driver's licence. It is worth noting that greater driving experience among novice drivers can contribute to reducing accident rates (see Box 4).

Box 4

Evidence on the effects of accompanied driving

The report by the European Commission on driver training, examinations, and medical fitness summarises empirical evidence on the subject, which indicates that the primary factors influencing accident rates among novice drivers are age and experience. Thus, the younger a driver is when obtaining a driving licence, the higher the likelihood of being involved in a traffic accident, and, at the same time, accident risks decrease as drivers gain experience. Therefore, measures promoting increased experience, particularly when combined with progressive exposure to driving risks, could help to reduce accident rates. (2017)

As for learning through driving accompanied by a lay instructor, studies on the subject find no evidence that the accident rate differs compared to training provided by a professional

¹⁴⁰ Between 2008 and 2023, a total of 15,859,283 practical driving tests for category B licences were conducted in Spain, according to [DGT microdata](#). Of these, only 244 (0.0015%) were taken by independent candidates not enrolled in a driving school.

¹⁴¹ Directive 2006/126/EC on driving licences is currently under review (pending approval at the time of this study's preparation; the progress can be consulted at the following [link](#), in English). The proposed revision aims to establish an accompanied driving system across the EU for category B and C vehicles, allowing drivers to obtain a licence before the general minimum age. This would be conditional on driving only in the presence of a qualified accompanying person until the general minimum age is reached. The model would be similar to Germany's BF17 licence; however, it would not prevent accompanied driving before obtaining a licence. In addition to enhancing road safety, another goal of this proposal is to address the shortage of professional drivers by facilitating access to the profession.

instructor¹⁴². Likewise, other analyses of the learning phase involving a lay instructor suggest that accident rates are no different from usual¹⁴³.

5.1.2. Restrictions on methods and technologies in professional training

The imposition of specific tools and methods of teaching restricts training options, potentially excluding others that may be equally effective, and may hinder innovation and discourage the adoption of new teaching approaches that might enhance or complement existing systems. For this reason, such restrictions should only be imposed if justified by general interest and after weighing the possible alternatives. In several of the areas of driver training services analysed in this study, student abilities are also evaluated through exams administered by public authorities, thereby reducing the need to regulate the teaching methods.

A debated issue in the sector is the need for theoretical training to be in-person, at least in part¹⁴⁴. The requirement of in-person attendance is a restriction on the activity of the centres because it limits their ability to offer online training courses and forces companies to incur in costs associated with the necessary physical infrastructure. This may reduce service accessibility in less populated municipalities, which could benefit from more flexible training alternatives.

There are also other requirements on technologies or teaching methods. For example, regulations governing road safety awareness and re-education centres mandate internet access, individual computers and headphones for each student and a projection system for instructors. Again, this promotes the use of specific methods and technologies to the detriment of others that may be equally effective.

¹⁴² For example, Beanland et al. (2013) conducted a literature review on this topic, yielding similar results. However, the authors highlighted methodological limitations in most of the publications analysed. Peck (2011) examined data from a randomized trial conducted in the United States between 1978 and 1981, reporting similar findings. Additionally, Senserrick and Williams (2015) reviewed the literature and found that accumulating experience during the learning phase significantly reduces accident rates. Further references can be found in chapters 6 and 7 of the European Commission (2017).

¹⁴³ Among others, Gregersen et al. (2003) performed a cost-benefit analysis, comparing accidents during the accompanied learning phase with the reduction in accidents after obtaining a driver's licence, attributing the decrease to the greater experience gained during the learning process. Their estimates suggest that the benefits, in terms of reduced post-licence accidents, are 30 times greater than the costs associated with accidents during accompanied driving. Moreover, Gershon et al. (2018) investigated accident rates among novice drivers during the accompanied learning phase, finding that the accident rate while practicing with an informal instructor is equivalent to that of an experienced adult driver.

¹⁴⁴ The CNMC has also previously reported on draft regulations that proposed introducing mandatory in-person training at a driving school to obtain a driving licence, as well as in the area of safe and efficient driving courses.

5.2. Opening requirements and restrictions on the operation of driver training services centres

5.2.1. Requirements for the opening and operation of driving schools

The authorisation to open a driving school is granted as a single, one-time approval, but the minimum resource requirements must be gathered individually by the headquarters and by each of the branches, although their shared use is permitted. Mandatory material resources include premises, a vehicle for each category of training offered, practice grounds, and teaching materials. Regulations also require driving schools to maintain a record of their daily teaching activity. Some of these requirements are discussed below.

5.2.1.1. Premises requirement

Article 13 of the Driving Schools Regulation states that "*Every Driving school, Section, or Branch must have premises in which to conduct its activities [...]*". However, driving schools' operations do not inherently require premises. Theoretical training is not mandated to take place in-person in a classroom, unlike training for professional permits (CPC), permits for the transport of dangerous goods (ADR), or road safety awareness and re-education courses¹⁴⁵. In fact, candidates can prepare for the theory test independently. Moreover, premises also do not fulfil any function related to practical training, since this takes place in vehicles or on designated practice grounds.

The requirement of premises entails costs for each branch, is not neutral with respect to the business model of the operators and, in addition, can contribute to the fragmentation of the market, by hindering the expansion and growth of the centres. Finally, it can reduce service accessibility in less populated municipalities whose demand does not cover the costs associated with the premises.

5.2.1.2. Vehicle ownership requirements

Article 15 of the Driving Schools Regulation establishes that "*Every School must have, in ownership, or by other title, at least one vehicle [...]*", so in principle the regime of possession of vehicles is not limited. However, article 16 of the Regulation adds that "*The vehicles of any School must: a) Be in the name of the owner of the School*". The obligation for vehicles to be "in the name" of the owner of the driving school has in practice the effect of restricting the legal means through which schools can access vehicles, since the Vehicle Registry only

¹⁴⁵ Another difference between theoretical training for driving licences and theoretical training for special permits (CPC and ADR) or for road safety awareness and re-education courses is that the former is not regulated in its content, whereas the latter are.

allows vehicles to be registered in the name of their owner, long-term lessee or lessee with a purchase option.

The establishment of vehicle ownership requirements is unrelated to their effective use in driving education. This is highlighted by the fact that the shared use of vehicles among multiple driving schools is permitted by regulation through the formation of groups for shared vehicle, although this applies only to vehicles used for the instruction of specific licences¹⁴⁶. Similarly, in some special cases, interested parties are allowed to contribute with vehicles¹⁴⁷. Moreover, in other areas of driver training that require vehicle use, such as CPC training, it is sufficient to prove the right to use the vehicles, without needing to own them under a specific title¹⁴⁸.

This obligation also does not seem essential for controlling the resources used by the driving school, as this is already ensured by the requirement for vehicles to be registered as part of the driving school in the Register of Driver Training Centres (art. 16. b) of the Driving Schools Regulation). As such, the driving school's vehicles are part of the information required in the application for the opening authorisation, as well as in notifications of subsequent modifications.

5.2.1.3. *Obligation to have practice grounds*

Driving schools must have a designated area for manoeuvring or skill practice on a closed circuit. For category AM, A1, A2, A or B licences, this requirement can be substituted with a municipal authorisation to conduct practice sessions in an urban area designated for this purpose (art. 14 of the Driving Schools Regulation). In some cases, municipalities provide municipal land for driving schools for practice purposes. Sometimes the land has been ceded to an association of driving schools, which manages it either free of charge or in exchange for a fee¹⁴⁹. Regarding open-road practice, it is common for local

¹⁴⁶ Article 17 of the Driving Schools Regulation allows the shared use of vehicles corresponding to the B+E, C1, C1+E, C, C+E, D1, D1+E, D, and D+E licences. Notably, shared use of vehicles for teaching the B+E licence (passenger cars with a trailer) is permitted, but the shared use for teaching the B licence (passenger cars without a trailer) is not allowed.

¹⁴⁷ Vehicles adapted for individuals with disabilities or agricultural tractors are also covered under Article 18 of the Driving Schools Regulation.

¹⁴⁸ According to Annex II.5 of Royal Decree 284/2021, CPC centres must *"have the necessary vehicles for practical training [...]. If the applicant does not provide such vehicles themselves, they must provide documented evidence to the competent authority that they have arranged for the use of necessary vehicles with an organization, company, or entity that owns them"*.

¹⁴⁹ For example, the FAB had the right to use five publicly owned provincial plots in 2011: in Barcelona (Sot del Migdia), Mataró, Sabadell - Terrassa, Granollers, and Vilafranca (ACCO, 2011). In Málaga, the city council announced in 2023 that it would tender a concession contract for the management of municipal land for driving school practice ([Europa Press, October 19, 2023](#)).

authorities to designate specific areas or time slots in which driving schools can operate¹⁵⁰.

The requirement for practice grounds may be justified to ensure that certain practices are conducted under appropriate conditions; however, it is an obstacle to entry and growth. Firstly, the cost of acquiring or renting and converting land into practice grounds constitutes a significant investment for new entrants or smaller companies. Secondly, land availability may be limited by urban congestion in some areas or urban planning regulations. Lastly, when a sector-related operator controls the grounds, the private management of this important, if not essential, asset for the activity of driving schools, reinforces its position vis-à-vis associations or independent driving schools¹⁵¹. This situation arises when the land is difficult to replace, regardless of whether it is publicly or privately owned.

5.2.1.4. Obligation to maintain a register and student records by driving schools

Driving schools are required to maintain a student register and detailed records for each student.

The existence of a student register does not appear essential for monitoring the activity, as there are other mechanisms, such as driving licence application files, which driving schools typically manage on behalf of their students. Similarly, maintaining student files does not seem necessary for tracking instruction, since students' ability are directly assessed by the administration through examinations, and there are no requirements on the content or minimum number of lessons candidates must complete that would justify the need for such records to oversee their training.

5.2.2. Double authorisation of CPC centres

Training centres must obtain two authorisations to operate. First, an administrative authorisation from the CPC company, which depends on proof that

¹⁵⁰ As an example, the Móstoles City Council prohibited driving schools not based in Móstoles from conducting driving lessons in 2008. However, this ban was annulled by the Madrid High Court (TSJ) for violating the constitutional right to business freedom and free competition ([STSJ M 1731/2012](#)). Currently, Móstoles restricts the circulation of vehicles from any driving school in certain areas and during peak traffic hours ([link](#)). This case illustrates the importance of ensuring that local restrictions respect the principles of good regulation.

¹⁵¹ This has led to violations. For instance, the ACCO (2011) fined a managing association of practice tracks for preventing access to the tracks for non-member companies, as well as for unjustifiably increasing the membership fees. In 2015, the association was again fined for failing to comply with the obligations imposed in the first case (ACCO, 2015). The CDCA (2016) sanctioned an agreement for price-fixing, with non-compliance resulting in the revocation of the authorization to use the association's practice grounds.

the centre possesses the minimum material and personal resources required for the activity. Second, they must undergo a "course homologation" process, involving the submission of a report detailing each course's program, the instructors responsible, and the maximum number of students. Additionally, centres are required to notify the authorities in advance of each course held.

The course approval process addresses aspects of training that are regulated in detail, leaving little room for discretion, or matters that can only be monitored at a later time, after the courses have commenced. This requirement is not imposed in comparable situations. For instance, for companies providing ADR permit training, which have a similar operating regime, the application process for opening authorisation includes the submission of an explanatory report indicating the types of courses for which authorisation is requested, thereby avoiding procedural duplication.

5.2.3. Double authorisation of ADR centres

The authorisation to open ADR centres is granted during the same procedure in which the explanatory report is submitted and the delivery of specific types of courses is approved. However, the holding of each course is subject to prior authorisation, which must be requested from the relevant Provincial Traffic Authority.

This results in a double authorisation for holding courses. In other similar activities, less restrictive alternatives are applied that could be sufficient for controlling the activity. For example, in the case of CPC companies, the holding of each specific course is only subject to prior notification and inspections.

5.3. Professional qualifications for driver training services

Professional qualification requirements demand the attainment of specific titles to engage in each of the reserved activities. This may be justified to ensure that the instructors are adequately prepared, although the requirements must be necessary and proportionate. The following sections review some of these requirements.

5.3.1. Diploma in Safe and Sustainable Mobility Training

The new Diploma in Safe and Sustainable Mobility Training is proposed as a way to access a wide range of regulated professions related to driver training. As a unique title, it provides greater opportunities and flexibility for professionals in the sector, as it qualifies individuals to perform various activities related to driver training.

Regarding professional qualifications for working as a driving school instructor, as noted by the CNMC ([IPN/CNMC/012/23](#)), a potential replacement of the certificates of aptitude for driving instructors with the aforementioned Diploma would significantly tighten the access requirements to the driving school instructor profession. As a condition of access, the current certificates of aptitude require a Compulsory Secondary Education certificate or equivalent, whereas the Diploma requires a Baccalaureate diploma or equivalent. Furthermore, the training for the driving instructor certificates of aptitude involves several theoretical tests and a theoretical and practical in-person course lasting about 10 weeks, while the Diploma entails 2,000 hours of coursework (120 ECTS credits, typically equivalent to 2 academic years). For the time being, both qualifications will coexist, but this could change in the future. Thus, R.D. 1010/2023, which introduces the new title as sufficient qualification for working as a driving school instructor or manager, incorporates a single Transitional Provision stating that, 5 years after its enactment, the elimination of the current driving instructor and manager certificates of aptitude will be considered, in line with R.D. 472/2021 regarding the proportionality test for regulated professions.

The proportionality test requires that restrictions on access to regulated professions do not go beyond what is necessary to achieve the intended (art. 7.1 R.D. 472/2021). It should be noted that the new Diploma is not intended as a specific qualification to work as a driving school instructor, but as a general qualification for a range of professions related to mobility and road safety. Therefore, its content exceeds the subjects required to provide training in a driving school. Currently, however, there is a specific qualification route for working as a driving school instructor (instructor aptitude certificates), as well as for the rest of regulated professions related to driver training.

One of the proportionality assessment criteria is comparing the requirements of similar activities (art. 7.2 c) of R.D. 472/2021). The Diploma's content is more demanding and its duration is longer than that of qualifications that allow access to other related regulated professions, such as specialist instructor for CPC or ADR courses, which could have an impact on road safety equivalent to that of a driving school instructor.

Finally, the international comparison in this study shows that the current requirements for becoming a driving school instructor in Spain are similar to those of other countries in our region. Therefore, a potential replacement of the certificates of aptitude by the new Diploma would place Spain among the countries with the most demanding access requirements.

5.3.2. Professional Qualification for Driving School Managers

To become a driving school manager, one must obtain a driving school manager certificate of aptitude, which requires prior possession of the driving instructor

certificate of aptitude. The professional qualification system for driving school managers has recently been reformed to also consider the new Diploma in Safe and Sustainable Mobility Training as valid.

Section 7 of the Driving Schools Regulation assigns managers primarily the responsibility of planning and supervising instruction. However, other controls are already in place to ensure that teaching is adequate and conducted in a specific manner. In particular, driving school instructors, who directly deliver the training, must already obtain their own certificates of aptitude, which attests to their competence. Driving exams are also intended to verify whether candidates have acquired the necessary skills during their training. Driving tests act as an external control of the training activity of driving schools and also limit the discretion allowed in planning the instruction. Finally, it is worth noting that the content of driving school manager certificates of aptitude partially overlaps with the content of the certificate of aptitude for driving instructors and includes a set of business management subjects that do not relate to road safety protection.

Moreover, the figure of the driving school manager is not a regulated profession in our region, as observed in the international comparison section. If the different areas of driver training services in our country are compared, in the case of CPC and ADR training, the figure of the manager is regulated, but it only requires proof of a minimum previous experience¹⁵². For road safety awareness and re-education centres, managers do not have to comply with any requirements¹⁵³.

5.3.3. Professional qualification requirements for teachers in dangerous goods transport

Training to obtain the CPC also allows simultaneous acquisition of an ADR permit, after completing the corresponding modules. The rules governing CPC courses (Order FOM/2607/2010) and ADR courses (Order on ADR training) establish the professional qualification requirements for instructors teaching the related subjects.

Although both courses result in equivalent outcomes (obtaining an ADR permit), the professional qualification requirements are different. In particular, ADR course instructors can demonstrate their qualification by completing a training of

¹⁵² In fact, at CPC centres, managers can validate their minimum experience by having worked as driving school instructors. This means that a driving school instructor with 3 years of experience could serve as a manager of a CPC centre, but not as a manager of a driving school.

¹⁵³ The same applies to the future courses on safe and efficient driving, according to the draft order examined by the CNMC in the [IPN/CNMC/032/23](#).

210 hours¹⁵⁴, while CPC courses require 110 hours¹⁵⁵ to obtain all the necessary specializations to teach subjects related to the transport of dangerous goods

5.3.4. Administrative concessions to offer courses for instructors in driving schools and road safety awareness and re-education centres

In the case of driving school instructors (certificates of aptitude) and trainers and psychologist-trainers in road safety awareness and re-education courses, the courses necessary to enter the profession are governed by an administrative concession system, whereby the DGT authorises a series of centres selected through a tendering process to exclusively provide the necessary training. In the case of certificates of aptitude for driving instructors, the concession is limited to the "in-person phase" (the practical training part) of the courses, while courses for trainers and psychologist-trainers are fully managed by the concessionaire company¹⁵⁶. On the other hand, professional qualification programs for instructors in CPC courses or ADR courses are carried out under a prior authorisation regime, i.e. they can be conducted by any centre that meets a series of pre-established requirements.

The difference between the concession and prior authorisation regimes occurs despite all courses having comparable structures and objectives. Furthermore, the management of trainer training courses by a limited number of concessionaire companies may distort downstream competition, as concessionaires may have an advantage when hiring professionals who pass the courses.

¹⁵⁴ In the Order on ADR training, there are "trainer training courses" regulated, which last 210 hours, and serve as sufficient professional qualification for the instructors.

¹⁵⁵ According to Order FOM/2607/2010, to deliver training related to the transportation of dangerous goods, instructors must have specializations in "transportation of dangerous goods," "firefighting equipment and methods," and "first aid." These correspond to CPC specialization courses in "transportation of dangerous goods" (32 hours long) and "emergency response on the road" (38 hours long), in addition to, in both cases, "CPC training in teaching skills" (40 hours long).

¹⁵⁶ Administrative concessions restrict access to an activity and limit competition by creating a temporary monopoly. In fact, the Supreme Court recently annulled ([STS 882/2023](#)) the administrative concession regime for awareness and re-education courses, as it lacked sufficient justification compared to other less restrictive alternatives to competition, such as an authorization system (which was ultimately adopted) or prior notification. The prior authorization regime adopted after the annulment has led to a significant increase in the number of centres, which has more than doubled in the first ten months of 2024 (from 360 to 810).

5.3.5. Double authorisation to work as a driving school instructor or manager

The Driving Schools Regulation establishes that in order to perform the functions of a driving school instructor or manager, it is necessary to have the qualifying title to practice the profession and, in addition, an exercise authorisation (art. 6.2 and 8.2 of the Driving Schools Regulation). Exercise authorisations are linked to the provision of services at a specific centre and must be renewed each time the professional is registered at a new driving school¹⁵⁷.

The exercise authorisation is essentially based on the qualifying professional title, which has already been subject to control by the Administration at the time of issuance. In addition, the identification of the driving school instructors and managers must be carried out during the processing of the centre's opening authorization or through subsequent modifications communications. Therefore, the functions of the exercise authorisation may overlap with those already performed by other instruments.

5.3.6. Double authorisation to work as a specialist instructor in the Diploma in Safe and Sustainable Mobility Training

R.D. 1010/2023 amended the Driving Schools Regulation to adapt the regulatory framework for driving schools to the new Diploma in Safe and Sustainable Mobility Training. Among other things, the reform regulates the access requirements to the profession of "specialist instructors" in the Diploma in Safe and Sustainable Mobility Training, responsible for teaching the modules of "driving techniques" and "didactics of practical driving teaching" (art. 48 bis. Driving Schools Regulation). To do this, it establishes a dual authorisation: they must hold a qualifying professional title and, in addition, an exercise authorisation.

As with driving school instructors and managers, exercise authorisations for specialist instructors in the Diploma are fundamentally based on the qualifying professional qualification, which has already been subject to control at the time of issuance. Likewise, they are linked to the provision of services at a specific centre, so a new authorisation must be requested each time the activity is to be started at a new centre (art. 48 ter. 4 of the Driving Schools Regulation). Therefore, this procedure may be unnecessary to carry out a control or registration in this activity.

¹⁵⁷ This implies, among other things, the need to pay the corresponding fees for the issuance of practice authorizations each time services are provided in a new driving school, as indicated on the DGT's website ([link](#)).

5.4. Regulatory segmentation of driver training services

Although the particularities of each area of driver training services justify the existence of different opening and activity requirements, these are related activities with similar characteristics and content. Therefore, it is not unusual for a company to provide several of these services, for example, driving schools that also offer CPC training or road safety awareness and re-education courses.

In this context, the existence of different rules, authorisations, procedures, and requirements for each activity means that schools face obstacles to expand their training offerings, take advantage of synergies, and improve the options they provide to their students. This can reduce the supply and make it less efficient, to the detriment of the user. Several areas that are affected by regulatory fragmentation can be highlighted:

- **Opening requirements:** a centre must obtain multiple authorisations to carry out the various driver training activities (to obtain a driving licence, recover points, teaching CPC or transport of dangerous goods). In general, unified procedures for providing various types of training are not contemplated, nor is there a general harmonization, where possible, of the minimum means required to obtain authorizations¹⁵⁸. There are also no homologations or simplified procedures allowing training centres authorised for one activity to carry out other similar ones (e.g. driving schools wishing to offer safe and efficient driving courses, or CPC centres wishing to offer training for obtaining type C and D licences for driving heavy vehicles). In the case of courses to obtain a category A driving licence, the possibility of authorising their provision in different types of training centres is explicitly contemplated (art. 3 of Order INT/2323/2011), but the necessary regulatory development has not taken place.
- **Requirements to carry out the activity:** the syllabuses and training means are generally not harmonized¹⁵⁹. Training modules or thematic classes in

¹⁵⁸ For example, the requirements regarding premises or vehicles are not harmonized. Thus, the regulations require different minimum total and per-student surface areas for CPC centres (1.5m² per student and space reserved for general services), ADR centres (minimum surface area of 30m² and 1.5m² per student), awareness and re-education centres (minimum surface area of 15m² and 1.5m² per student), and training centres for instructors of dangerous goods transport (minimum surface area of 2m² per student). Regarding vehicles, driving schools must own them, lease them long-term, or have the option to purchase, while CPC centres only need to prove they can use them.

¹⁵⁹ A notable example of harmonization is the 1st Additional Provision of Royal Decree 284/2021, which allows training received for initial qualification for obtaining the CPC to also count towards the simultaneous acquisition of the authorization to drive vehicles transporting dangerous goods (ADR licence) or for the recovery of points, in the case of modules related to safety road safety awareness and re-education.

which students from different courses with partially overlapping curricula could be grouped are also not contemplated¹⁶⁰.

- **Accreditation requirements and professional qualifications for trainers and managers, and for training centres for trainers:** each type of training centre (driving school, CPC centre, dangerous goods centre or points recovery centres, as well as for training centres for road safety training professionals) must have its own instructors and managers, subject to different access requirements for the profession. On one hand, there are no harmonised procedures for training centres staff that allow them to submit applications to offer various training activities simultaneously¹⁶¹. On the other hand, regarding instructors and managers, there are no validations or other systems that facilitate an instructors' ability to easily expand their professional qualifications, provided they are already sufficiently qualified and have experience in related activities¹⁶². The following Tables summarise the different types of training staff and managers, the centres in which they provide their training services, their qualifying titles, and the authorised centre to issue this qualification.

¹⁶⁰ In the case of the awareness and re-education courses, Article 8 of Order INT/914/2024 prohibits combining students from partial recovery courses with students recovering a full licence, or those from other courses, in the same classroom. As noted by the CNMC ([IPN/CNMC/005/24](#)), "*insofar as the programs of these activities coincide, the activity of the centres would be restricted, depriving consumers of more efficient options at a lower cost, without affecting the quality, which is guaranteed by the rest of the provisions of the order (content regulation or duration)*". This measure has also been proposed for safe and efficient driving centres (examined by the CNMC in [IPN/CNMC/032/23](#)).

¹⁶¹ For example, the training centers for CPC instructors have a flexible regime that allows any official regulated educational center or vocational training institution to provide the activity. However, when it comes to transport or driving training centers that wish to train CPC instructors, the regulations establish additional restrictions. Specifically, they are required to demonstrate no less than five years of experience in training activities and "*a territorial presence and operational influence exceeding merely local scope*" (Additional Provision 1 of Order FOM/2607/2021).

¹⁶² It is important to note that the new Diploma in Safe and Sustainable Mobility Training offers a general education for professions related to road safety. However, there is no system of equivalency or simplified access between professional qualification certificates.

Table 5. Regulation of the different professional qualifications of training staff

Training staff	Training Centre	Requirements	Enabling centre
Driving School Instructor	Driving schools	Certificate of Aptitude for Driver School Instructors	Centres with an administrative concession (in the in person training phase)
CPC Instructor	CPC Companies	CPC Specialization Certificate or equivalent qualifications ¹	CPC ² Instructor Training Centres
ADR Instructor	Training centres for the transport of dangerous goods	ADR ³ Instructor Certificate of Aptitude	ADR ⁴ Instructor Training Centres
Trainer for road safety awareness and re-education courses ⁵	Road safety awareness and re-education centres	Certificate of Aptitude for driving school instructors + 3 years of experience + Trainer of Road Safety Awareness and Re-education Courses Certificate	Centres with an administrative concession
Safe and efficient driving instructor	Safe and efficient driving training centres	Pending regulatory development ⁶	Pending regulatory development ⁶

Source: Authors. Notes: ¹ Holders of a certificate of aptitude for driver training instructors, firefighting trainers or holders of a certificate of professional training for the exercise of the activity of transporter of goods, passengers or dangerous goods or holders of a certificate of aptitude for ADR trainer are authorised to teach some of the specialisation subjects. ² Public or private centres that offer official regulated training or vocational training for employment, the state public transport and training foundation, and transport or driving training centres with at least 5 years' experience, provided that they have a territorial establishment and a scope of operation and influence greater than the local one (additional provision 1 of the Order on ADR training). ³ The ADR Training Order allows the DGT to authorise instructors who can prove that they have the "necessary specialisation and qualifications", without specifying whether it is possible that they do not hold the ADR Trainer Certificate of Aptitude. ⁴ Centres authorised by the DGT that meet the requirements set out in Article 17 of the Order on ADR training. ⁵ Road safety awareness and re-education courses also have psychologist-trainers. ⁶ The Draft Ministerial Order examined by the CNMC in IPN/CNMC/032/23 establishes the need to pass theoretical and practical training organised by the DGT, and authorises holders of a certificate of aptitude as a driver training instructor (driving school instructors), specialist training coordinators of the DGT, to exercise the exercise of the training certificate, to motorcycle instructors-monitors in schools or military bodies or official police schools, and to Diploma in Safe and Sustainable Mobility Training (Single Transitory Provision).

Table 6. Regulation of the different professional qualifications of the management staff

Training staff	Training Centre	Requirements
Driving School Manager	Private driving schools	Instructor Qualification Certificate + Manager Qualification Certificate
CPC Centre Manager	CPC Companies	3 years of experience as an instructor or manager in a driver training centre or vocational training in general
ADR Centre Manager	Training centres for the transport of dangerous goods	3 years of experience as an ADR instructor
Manager	Road safety awareness and re-education centres	None
Course Manager	Training centres for safe and efficient driving	Pending regulatory development ¹

Source: Authors. Notes: ¹ The Draft Ministerial Order examined by the CNMC in IPN/CNMC/032/23 does not establish any requirement beyond that it will be the owner of the centre or the person designated by it (Article 2).

5.5. Management of driving licence tests

This section reviews the administrative management of the tests for obtaining a driving licence and its effect on driving schools.

5.5.1. Rules for the allocation of exam capacity

The different allocation systems adopted (including the current CAPA System) stipulate that it is the driving school that carries out the necessary procedures for applying for exams, without the student being directly involved with the administration¹⁶³. Moreover, when managing exams, the DGT does not consider each application individually but allocates the exam capacity among the different driving schools, which, in turn, allocate it among their students. In this way, the DGT positions the driving school as an intermediary in its relationship with the student.

A possible justification for this intermediation system could be the need to optimize public resources in a context of asymmetric information. Students may not know if they are sufficiently prepared to take the exam and may have an

¹⁶³ The DGT [states](#) on its website: "If you apply through a driving school, the school itself will handle your application to take the aptitude tests and, if you pass, to obtain your licence." On the DGT's electronic platform, only the theoretical exam is mentioned in the process related to applications made independently.

incentive to appear as soon as possible. In a context of limited resources, this could contribute to the saturation of exam capacity. By distributing the scarce capacity among driving schools, they would act as a preliminary filter for the administration, presenting the most prepared students. Thus, an agency relationship is established between the administration and the driving schools¹⁶⁴. In this framework, conflicts of interest can arise when the objectives of the driving school do not coincide with those of the administration, which could happen in various situations¹⁶⁵. To be effective, any rules governing capacity sharing among driving schools should address this issue and try to align the goals of both driving schools and the administration.

On the other hand, the rules for allocating exam capacity affect both driving schools and students. For driving schools, they limit the number of students who can be presented for exams, which could distort their activity or unjustifiably discriminate between their applications. The rules for allocation also affect the student because:

- **The exam centre will be determined by the location of the driving school**, preventing the student from taking the exam at a location other than where they are studying if they wish, for example, to speed up deadlines or due to a change in residence.
- **The exam date will depend on external and unknown factors** other than the application date, such as the allocation system or the driving school's internal policy for allocating exam slots to its students.
- **They reduce the student's information and negotiating power vis-à-vis the driving school**: by not interacting directly with the administration, the student may be unaware of their options. It also makes it difficult to switch driving schools, as in addition to dissolving the private contract, the student would need to process a file transfer with the administration. Finally, the driving school could introduce intermediary fees for managing the exam request or the file transfer, increasing the cost for the student¹⁶⁶.

¹⁶⁴ In economics, the agency relationship describes a situation in which a principal (in this case, the Public Administration) assigns a task to an agent (the driving school) for the benefit of the principal. This relationship creates a conflict of interest when the agent's objectives (e.g., maximizing their profits) are not aligned with those of the principal (optimizing public resources), and the principal cannot perfectly control the agent's behaviour.

¹⁶⁵ For example, because the driving schools' income is directly linked to the teaching of driving (depending on the number of lessons given or the tasks performed before the DGT on behalf of the student), and not to obtaining the licence.

¹⁶⁶ Article 1.3 of the Driving Schools Regulation authorizes driving schools to manage their students' documentation "*with prior authorization from the students and informing them of the costs associated with this service*". According to OCU (2019), "*it is common for driving schools to include the cost of administrative procedures with the DGT in the price of their services*".

The problems of the driving school intermediation system have led some countries to consider replacing this system with one that uses the student as the basis for allocation¹⁶⁷. In this way, the allocation of exam capacity would be determined bilaterally between the applicant and the administration, based on objective criteria and determined by the characteristics of the application, such as the entry date or the student's application number.

In general, any allocation system should comply with the following:

- **Be transparent, predictable, and understandable** for both driving schools and students. This provides certainty and allows both students and driving schools to plan their training and exam date.
- **Be neutral** for driving schools and not distort their behaviour.
- **Be efficient**, aligning the objectives of the student (and, where applicable, of the driving school) with those of the administration.
- **Respect the student's decision-making capacity**, facilitating the choice of exam location, giving them control of their administrative file, and strengthening their bargaining power with the driving school. Moreover, the system should guarantee the same treatment to students who take the exam independently and to those enrolled in driving school.

5.5.2. The CAPA System

Without prejudice to the possibility of adopting non-intermediated capacity allocation systems, the CAPA System marks an improvement over the previously adopted driving school allocation systems, since:

- **It distorts the activity of driving schools less**: the allocation is based on the pool of students pending examination at each driving school, so that decisions regarding personal or material resources are not distorted, and their incentives to attract students are maintained.
- **It encourages the presentation of prepared students**, by providing a penalty for driving schools with a lower pass rate.

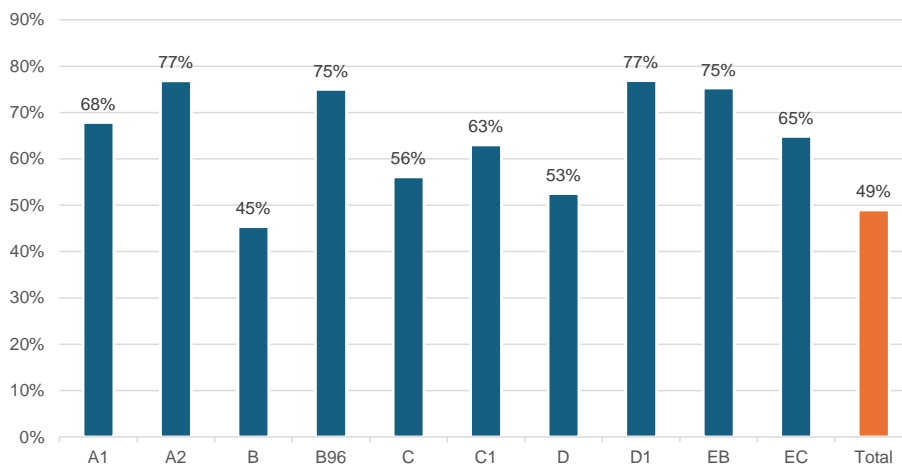
¹⁶⁷ For example, the French *Autorité de la Concurrence* proposed in its [Avis 16-A-07 of February 26, 2016](#), to adopt this measure in the medium term, as it considered that maintaining the intermediation of driving schools introduces biases that may distort competition. In this system, slots would be allocated on a first-come, first-served basis. In fact, France has launched the “RdvPermis” platform (more information in this [link](#), in French), which allows students (or driving schools on behalf of students) to directly request the scheduling of exams.

However, some details of the system, as regulated in Annex IX of the General Regulation for Drivers, could be reconsidered.

Firstly, there is uncertainty about the penalty for driving schools with the lowest pass rate. The General Regulation for Drivers do not specify how driving schools with a lower pass rate are penalized or what impact the penalty has on the allocated capacity¹⁶⁸. This lack of transparency can affect the decisions of driving schools and the level of preparation of the students presented to the exam.

It is also unclear if the system considers the differences in the pass rates by licence type. This would be necessary to avoid discouraging training for certain licences with lower pass rates or discriminating against driving schools specialized in those licences (see Figure 39). Moreover, since the capacity allocated to driving schools is expressed in minutes and the driving schools decide how to allocate their minutes, students with longer exams could be disadvantaged in the allocation.

Figure 39. Driving test pass rate in 2023, by type of licence



Source: Authors, based on data from the DGT.

The frequency of updating the allocation rate is also undefined. If the frequency is low, it is possible that the distribution is made based on outdated market information, making it difficult for companies to enter or expand.

¹⁶⁸ Annex IX. 3. of the General Regulation for Drivers only states: *"the percentage of successful candidates in the exams of students from each school will be taken into account in relation to the average of the exam centre."*

It is also unclear whether the calculation of the driving school's pool considers student file transfers between driving schools¹⁶⁹. This is important because it affects the incentives of driving schools to accept enrolments from students who have taken exams on their own or who come from other driving schools.

Finally, the rules for allocating spare capacity are not public. This lack of transparency can affect the planning of driving schools and students. Additionally, as with the rules governing the initial allocation, the rules for allocating surplus capacity may distort competition between driving schools or disadvantage students applying for specific licences or free candidates.

5.5.3. Factors affecting the demand for exam capacity

There are other aspects related to the organization of the exams that affect the demand for examination at the Provincial Authorities:

- Incentives for students: currently, decisions on presenting candidates for a driving licence are made by the interested party themselves (art. 51.1 of the General Regulation for Drivers). Despite the fact that, as has been pointed out, the rules regarding the management of exam requests favour driving schools having control over their students' records, there seems to be no adequate incentive for students to apply for the exam only when they are sufficiently prepared and have high chances of passing. The current fees allow for two exam sessions, which does not reward those who pass in their first attempt, as they indirectly finance the exam cost for others. On the other hand, there are minimum waiting periods between attempts, but only from the second and subsequent attempts.

This could contribute to the saturation of exam capacity, with negative consequences for all users, and may also distort the behaviour of driving schools, since the capacity allocation they receive through CAPA depends, due to the existence of a correction factor, on the pass rate of their students, which is not entirely under their control.

- Requirement for authorisation to present students in provinces other than the one where the driving school is located: this requirement fragments the driving school market, limits candidate mobility and choice, and prevents demand from being distributed efficiently across different exam centres

¹⁶⁹ The original text from Instruction 2020 C-136 (which was annulled) stated that students enrolled in the school "*in the exam register*" would be considered, excluding transfers of files after the tests. The current text in the General Drivers' Regulation modifies this point, specifying that it will be "*those registered in the Driver Registry*" (Annex IX.3 of the General Drivers' Regulation). This Registry includes data from applicants and holders of driving permits (Title V of the General Drivers' Regulation), so it may not contain this information.

according to their saturation. It also restricts the activity of driving schools, as a driving school wishing to operate in multiple provinces can only do so by opening a new branch. Finally, this requirement reduces the accessibility of the service in less populated municipalities, which could be served by driving schools located in nearby provinces without needing to open a new branch in the municipality.

5.6. Transparency and information asymmetries

For markets to be competitive and efficient, they must also function properly from the demand side. This means that consumers should be able to influence companies' behaviour through their purchasing decisions, rewarding those that offer better products and penalising those that do not.

In this regard, activities related to driver training services (particularly those carried out by driving schools) have certain structural characteristics that exacerbate the negative effects of a lack of transparency and information asymmetries in the market. Firstly, as with other training-related services, consumers lack the necessary knowledge to adequately evaluate the characteristics of the service, including its quality, before acquiring it¹⁷⁰. This issue is even more pronounced in the case of training provided by driving schools, as there are generally no repeat purchases. Individuals usually obtain each driving licence only once, and most drivers obtain only one licence (typically the category B licence)¹⁷¹. This makes it challenging for consumers to learn about the service's features over time.

If consumers are unable to assess the quality of training before making a purchase, driving schools will have less incentive to offer higher quality services¹⁷². Conversely, better information about service quality could make it a deciding factor for consumers and a parameter of competition for companies, thereby contributing to improved training and higher pass rates. This would

¹⁷⁰ In the field of industrial economics, these types of goods are often referred to as "experience goods" (Nelson, 1970), in contrast to "search goods," for which it is possible to know their characteristics before purchase through a search process. In the case of experience goods, the issue is that, generally, companies have no incentives to offer higher-quality services because it is not perceived by the consumer at the time of making their purchasing decisions.

¹⁷¹ According to the DGT, in 2023, only 25% of the holders of newly issued driving licences had a previous licence. On the other hand, more than 90% of drivers in Spain hold a category B driving licence, which represented 66% of the new licences issued in 2023.

¹⁷² Seim, Vitorino, and Muir (2013) study the driving school sector in Portugal to analyse a problem related to imperfect information about the characteristics of the service: students paying a high price for driving school services as a result of needing additional lessons after failing the driving exam. The authors find evidence that consumers only focus on the price charged by driving schools for the initial course, allowing driving schools to set much higher prices for additional lessons after a failure.

benefit students, promote more efficient use of public resources allocated to exams, and ultimately enhance road safety.

The administration can play a role in increasing transparency and improving the quality of information. For instance, in France there are "quality driving school" certificates issued by the traffic authority to driving schools that meet specific requirements¹⁷³. In Portugal, the traffic authority annually publishes information on the pass rates of all driving schools in the country¹⁷⁴. In Spain, the DGT publishes monthly data with information on the driving tests conducted by all driving school branches and their results¹⁷⁵. However, it is relatively difficult for an average consumer to access and analyse the information, and the data does not facilitate easy comparison between driving schools¹⁷⁶.

5.7. The role of sectoral associations

5.7.1. Mediation with the administration and management of sensitive information

At times, the administration has sought to streamline its relations with operators by engaging with sector associations, as has been the case, for example, with the rules for the allocation of examination capacity (see Box 1 above). However, this approach could strengthen their role as intermediaries vis-à-vis individual centres and could even pose challenges from a competition perspective.

For instance, to digitise the process of requesting and allocating exam capacity, the DGT has implemented the AUES (Universal File Application) computer system. This system simplifies the administrative management of records compared to the traditional methods such as submissions through the Electronic Register or manual processing. While AUES is accessible to any driving school, it does not provide a universally accessible, user-friendly application, as is the

¹⁷³ More information on quality certificates can be found in the following [link](#) (in French).

¹⁷⁴ Under Lei n.º 14/2014. Data is available at the following [link](#) (in Portuguese).

¹⁷⁵ They can be consulted at the DGT website ([link](#)).

¹⁷⁶ The microdata published by the DGT identifies each branch by its registration code in the Driver Training Centers Register, but the address is not provided. The only geographical information is the province and the assigned exam center for the branch, so if there are multiple branches of a driving school in the same province, it would not be possible to determine which data belongs to which branch. The lack of address details makes it difficult for consumers to compare results from nearby driving schools.

case in other countries¹⁷⁷. Instead, driving schools must first develop their own integration to use the system within their existing software¹⁷⁸.

The fragmented nature of the sector and the small size of companies make it difficult for many training centres to have the capacity and resources to implement such integration independently. As a result, many driving schools may turn to intermediaries for assistance with integration. Examples of such services can be found in some digital driving school platforms and through the primary association, CNAE, via its Pasarela application¹⁷⁹. These developments can be highly useful for driving schools, and their appropriate use can be beneficial. However, if not properly designed, the operator of such a platform might gain real-time access to sensitive commercial information, which could rise competition concerns, especially if the operator is affiliated with training centres or other entities in the sector.

5.7.2. Management of municipal practice grounds by associations

Sector associations also often play a significant role in **managing municipal practice grounds**. In some cases, this has led to problems, including sanctions for competition law violations related to denial of access or the imposition of abusive conditions for the use of practice grounds¹⁸⁰.

Previous cases illustrate the risks associated with this organizational system. First, the management of a critical, if not essential, asset for the activity of driving schools by a private association strengthens the association's position relative to other associations or unaffiliated schools. Moreover, the position associations managing practice grounds can be further reinforced when these grounds are also those designated by the DGT for conducting official driving licence exams. This risk is exacerbated if the managing entity imposes additional fees, beyond

¹⁷⁷ In France, for example, the online management application for exam requests ([RdvPermis](#)) can be used directly by driving schools (and also by students), with the only requirement being that the user is registered.

¹⁷⁸ According to the DGT's website ([link](#) to system description), the AUES system allows driving schools to manage new aptitude test requests, schedule new appointments within an existing request, and check the exam results of their students. Access to the application is done through a web service that allows third-party integration with the AUES system via the Internet, requiring the school to develop software in order to access the system.

¹⁷⁹ The documentation for the CNAE gateway application is available [here](#). The interconnection service with AUES is also offered by digital platforms like Dribo ([link](#)).

¹⁸⁰ Among other instances, ACCO Resolutions [No. 23/2010](#) and [No. V-23/2010](#) sanctioned several associations for preventing non-member companies from accessing practice grounds.

the usual rates, for the use of the grounds during official exams organized by the traffic authority¹⁸¹.

¹⁸¹ In 2011, the Provincial Traffic Authority of Barcelona used public-owned land assigned to the FAB as exam grounds in the municipalities of Barcelona (Sot del Migdia), Mataró, Sabadell - Terrassa, Granollers, and Vilafranca (ACCO, 2011). In the case of the land located in Vilafranca, the Statutes of the Auto School Employers' Association of the Vilafranca del Penedès Area stipulated that "*all driving schools participating in the driving tests held in a zone owned by the FAB must pay the fees established generally for the maintenance of the practice grounds*" (ACCO, 2011, p. 10). The file also indicates that "*the FAB informs that at the Vilafranca grounds, as a maintenance fee for the facilities, driving schools must pay 30 € per motorcycle and truck student, and 5 € per theoretical exam. Practice sessions are free of charge*" (ACCO, 2011, p. 22).

6. CONCLUSIONS AND RECOMMENDATIONS

Driver training services are essential for the personal and professional activity of the population, for road safety and for the transport sector. The claimants are mostly young people, who generally have a below-average income. Therefore, it is essential that they operate efficiently and competitively, in order to provide quality training at affordable prices.

In most of the training activities considered in this study, the administration indirectly controls their quality through an examination, which reduces the need to intervene in the activity of the centres. Despite this, the regulation reserves training activity to authorised centres and determines the qualifications that their staff must have, the material resources of the centres and, sometimes, the teaching methods and technologies.

Some aspects examined in the study can reduce competition and efficiency, creating barriers to entry and making it difficult for centres to expand into new markets and activities. They can also reduce the accessibility of a critical service for residents of less populated municipalities, who tend to rely more heavily on private vehicles. The regulation, added to the structural characteristics of the activity, configures an atomized sector, fragmented in the different local markets and also according to the type of service offered. Likewise, the relations between the administration, sectoral associations, driving schools and students have a great relevance in the functioning of the sector and the balance between competitors, and may affect the distribution of examination capacity, access to practice and examination grounds or the relationship of the student with the administration.

The impact of these factors on competition can be mitigated by adopting measures to facilitate market entry and make the operations of training centres more flexible, increase transparency and available information, encourage competition, and facilitate the qualification of training staff. All this would result in greater efficiencies and lower barriers to entry and geographical expansion, favouring greater competition in prices and qualities for the benefit of service users.

By virtue of the above, we propose the following recommendations:

FIRST. MAKING THE DRIVER TRAINING REGIME MORE FLEXIBLE

I. Facilitate learning by driving accompanied by a lay instructor

In Spain, the option of practicing accompanied by a tutor is very restricted, so that in practice it is not viable. This contrasts with what happens in many countries

around us, where it is a relatively widespread alternative that can be easily accessed.

Accompanied driving would enable a new avenue of practice that could help many students to train, by reducing the cost and increasing the variety of options available. It would also make it easier for them to have more experience before obtaining the permit, for the benefit of road safety. Better preparation for exams could help to increase pass rates, as well as reduce congestion at test centres.

On the other hand, making training alternatives more flexible does not have to undermine the level required to obtain licences, since driving tests are directly controlled by the administration. Driving tests act as an external control of the teaching received and, in addition, they act as an incentive for candidates and trainers, since there will be a tendency to study and practice that which is the object of evaluation.

Therefore, **we recommend to make the requirements for learning by driving accompanied by a lay instructor more flexible**, so that it is an accessible option in practice.

In particular, the obligation for the vehicle used for the internship to be in the name of the companion or apprentice should be reconsidered, as well as the other restrictions related to the vehicle (obligation to have dual control), circulation (speed limits), the companion (possibility of designating several companions) or the learner's permit itself (maximum validity of 8 months). The possibility of allowing accompanied driving on licences other than B could also be considered.

Accompanied practices would be compatible with a possible maintenance of compulsory training obligations in driving schools if it were considered necessary, for example by establishing a minimum number of driving school classes before accompanied driving. It would also be compatible with specific limitations when it is essential for reasons of general interest, such as preserving road safety during the learning phase or guaranteeing the teaching of subjects that are difficult to assess in the exam. In such cases, the restrictions should be sufficiently justified and respect the principles of efficient economic regulation.

II. To make methods and technologies for driver training more flexible

Sometimes the regulations establish requirements that condition the way training is delivered, excluding or hindering some methods or technologies. In general, the choice between teaching methods (traditional, digital, etc.) should be free for driving schools and students, except for sufficiently justified exceptions for reasons of general interest. The administration conducts driving tests independently for most licences, so it has the ability to control the level of competence required to obtain them without the need to require that the teaching is given in a certain way.

Preserving technological neutrality and thus allowing different training methods and technologies can help different learners find solutions that are better suited to their needs. This could reinforce the development of their skills as drivers. On the other hand, by enabling more options for students, driving schools would also be encouraged to make an effort to improve and innovate, to provide the best alternatives, increase the quality of their service and attract students. Thus, it would be students and driving schools who would opt for the most effective and convenient methods and technologies. Finally, the possibility of more flexible teaching methods could improve the accessibility of the service in less populated municipalities.

Therefore, **we recommend to make the methods and technologies that the regulations impose for driver training more flexible.** Specifically, it is recommended to review and eliminate those access or activity requirements that require the adoption of specific technological solutions to the centres. Similarly, the obligation to attend training for drivers should be limited to what is essential and be adequately justified, to avoid disproportionate restrictions on online training modalities.

In the same vein, it is recommended to abolish the obligation for awareness and re-education centres to have access to the Internet, computers and headphones and a projection system, contained in section 4 of Annex IX of the Traffic Law. It is also recommended to speed up the process of approval of the Ministerial Order that regulates the conditions of e-learning for obtaining the CPC.

SECOND. REDUCING BARRIERS TO THE OPENING AND ACTIVITY OF DRIVER TRAINING CENTRES

III. Eliminate the requirement to have physical premises for driving schools

The obligation to own a physical premises imposes costs for the opening and operation of driving schools, without being essential for their activities. This requirement does not reinforce road safety, as it is unrelated to road practices. In addition, driving tests already prove that candidates have the necessary knowledge and skills, which mitigates the need to establish the material resources of training schools by regulation. The obligation is not neutral with respect to the business model, as it predisposes to face-to-face work and contributes to limiting the geographical scope of the activity and the accessibility of the service and to fragmenting the market. Without this restriction, driving schools would have an easier time entering the market, expanding, adjusting their costs and offering different training alternatives.

Therefore, **we recommend to eliminate the requirement of having a premises for driving schools** contained in article 13 of the Driving Schools Regulation.

IV. Eliminate restrictions on the ownership regime of driving school vehicles

The requirement that the vehicles of the driving schools appear in the name of the owner, established by art. 16. a) of the Driving Schools Regulation, means that in practice driving schools must own them on an ownership basis or through long-term lease contracts or with an option to buy.

However, the registered ownership of vehicles does not affect the possibility of effectively developing driving education. In fact, it is not required in the particular cases of groups for the shared use of vehicles or the contribution of vehicles by students. There are also no restrictions on the ownership regime of vehicles in other areas of driver training, such as training for professional drivers in heavy goods vehicles (CPC). Therefore, it does not seem that the requirement that driving school vehicles be in the name of their owner (in general, the requirement that they be owned through a specific title) is sufficiently justified and, on the other hand, imposes unnecessary costs and rigidity on the activity of driving schools.

Consequently, **we recommend to eliminate the obligation for driving school vehicles to appear in the name of their owner.** The current requirement of registered ownership could be replaced by a generic obligation to accredit the ability to use the vehicles necessary for teaching, as is the case in other areas of driver training, such as CPC training. Consideration could also be given to allowing vehicles used for teaching to be provided by students themselves, which could be attractive to both the driving school and the student, particularly in cases where the vehicle does not need adaptation, such as motorcycles.

V. Eliminate unnecessary duplication in opening requirements

V.A. Eliminate the double opening authorisation for CPC centres

In order to carry out their activities, CPC centres must obtain two authorisations: (i) one to be incorporated as a CPC company and (ii) another to be able to offer each of the courses corresponding to CPC training, through the process of homologation of the courses.

The report provided in the process of homologation of the courses refers to aspects regulated in detail and with a minimum margin of discretion, such as the subjects of the course and its duration or the qualification and number of instructors, or to issues whose control can only be done at a later time, such as those referring to the development of the courses. In addition, CPC companies are obliged to notify each of the courses held in advance and, according to art. 21.1 of R.D. 284/2021, the competent regional administration must carry out at

least one in person inspection visit of each course communicated by a CPC company.

By virtue of the above, **we recommend to eliminate the need to obtain an authorization for the "homologation of courses" from CPC companies** (art. 11 of R.D. 284/2021). Less burdensome mechanisms could be articulated to achieve the same control objective. For example, through the prior notification and inspections regime that is already in force or by consolidating the procedure within the application process for the initial opening authorisation. As a reference, in training companies for obtaining ADR permits, which have a similar operating regime, the application process for opening authorization includes the presentation of a report indicating the types of courses for which authorization is requested.

V.B. Eliminate the double opening authorisation for ADR centres

The activity of training centres for the driving of vehicles transporting dangerous goods (ADR) also requires two authorisations: (i) one to open as an ADR training centre and, in addition, (ii) the holding of each specific course is conditional on prior approval by the traffic authority. However, equivalent control could be achieved through less restrictive instruments, such as an appropriate communication and inspection regime, as is the case with CPC companies, where prior approval of each of the courses organised is not required.

Therefore, **we recommend to eliminate the need for prior approval of each of the courses held by ADR centres**, provided for in article 8 of the Order on ADR training. If the requirement for a double authorisation is maintained, the overriding reasons of general interest that justify it should be made explicit.

VI. Assess the need for a register and records of the students by the driving schools

Articles 39 and 40 of the Driving Schools Regulation require driving schools to have a register of students and detailed files for each student. However, they are not required for the assessment of the students' ability, which is already directly examined by the administration through driving tests. In addition, the DGT itself may have knowledge of the students presented by each driving school from the management of the exam files. There are also no regulatory requirements on training or the minimum number of classes that might make them necessary to control the activity.

Therefore, **we recommend to assess whether it is necessary for driving schools to have a register of students and to prepare student files**, insofar as they may not be essential for the development of the activity or the supervision

of the sector. If they are not necessary, the possibility of eliminating them could be considered. This is without prejudice to the fact that the traffic authorities may draw up guidebooks for voluntary monitoring by driving schools.

VII. To make it easier for centres to offer different types of training for drivers

The different activities associated with driver training are interrelated, and it is common for the same company to offer several at the same time. However, centres must obtain multiple authorisations in order to carry out each of the regulated activities, which contributes to market fragmentation and may result in higher costs or a lower supply of services. Nor can they provide joint training on common subjects to students from different courses.

Taking into account the existing complementarities, and that other control mechanisms such as driving tests and professional qualifications required from teaching staff already exist, **we recommend a general review of the requirements related to the opening and activity of driver training centres, with the aim of simplifying, harmonizing and standardizing procedures and content**, to facilitate the joint and efficient delivery of the different services. Specifically, the following can be assessed:

- **Simplify the authorisation procedure for centres.** Consideration could be given to unifying, simplifying or eliminating, where appropriate, the procedures for authorising new activities for centres that already have an authorisation to open a related activity. For example, it could be studied, among others, in the case of driving schools that wish to provide training for the recovery of points.
- **To harmonise the minimum means** required to obtain opening authorisations. For example, the characteristics required of the premises of CPC centres, dangerous goods centres and training of trainers centres for the transport of dangerous goods could be harmonised. Also, with the characteristics of the premises required of driving schools, which must not meet any specific requirements related to dimensions or facilities.
- **Standardise the contents and modules of the training and allow the joint training** of students from different courses on common subjects, so that the centres can teach the modules of common content to the students of the different training modalities. Both reforms could be assessed, in particular, in relation to awareness and re-education courses (amending art. 8 of Order INT/914/2024) and those on safe and efficient driving.

THIRD. FACILITATE ACCESS TO THE EXERCISE OF PROFESSIONS RELATED TO DRIVER TRAINING

VIII. Facilitate the access to and exercise of the professions of instructor and manager of driver training centres

VIII.A. Eliminate the professional qualification of driving school managers

Driving school managers are required to obtain a specific professional qualification. To do this, they must pass a specific theory test organized by the traffic authorities and be in possession of the certificate of aptitude for driving school instructors. However, the management activities of a driving school are different from those of training and do not put road safety at risk or cause other damage that justifies regulating access to this profession. The quality and safety of driver training are safeguarded by other means, such as the requirement of a specific professional qualification for driving school instructors, who are the ones who provide the training directly, or driving tests.

Therefore, **we recommend to eliminate the certificates of aptitude for managers of driving schools**, required by art. 6.2 of the Driving Schools Regulation, insofar as there is no reason of general interest that justifies a regulation of access to the profession. In any case, if the current system were maintained, the annual calls for the courses to obtain the corresponding certificates should be maintained, since, according to the current wording of art. 47.1 of the Driving Schools Regulation, the DGT is only obliged to convene the courses when in its opinion it is necessary to guarantee an adequate availability of professionals. Likewise, it could be considered to eliminate the obligation for driving school managers to be in possession of the certificate of aptitude for driver training instructors, since their functions are different and the managers do not participate directly in teaching.

VIII.B. Maintain a professional qualification pathway for driving school instructors similar to the current certificates of aptitude

R.D. 1010/2023 aimed, among other things, to convert the Diploma in Safe and Sustainable Mobility Training into a professional qualification sufficient to work as a driving school instructor. This regulation indicates, in its explanatory memorandum, that it is expected that the Diploma will become the main route of access to the profession, and includes a Single Transitional Provision that establishes that, after 5 years from its entry into force, it must be assessed whether to continue convening the courses to obtain the certificates of aptitude for driver training instructor, which until now had been the main way to access the profession.

The replacement of the certificates of aptitude for driver training instructors with the aforementioned Diploma would significantly hinder access to the profession. Among other aspects, the new degree increases the educational level necessary to obtain professional qualification and increases the duration of training to about two academic years. This would make Spain one of the countries with the toughest access requirements. Increased entry barriers into the profession in terms of time and cost could reduce the availability of instructors and thus the supply of training services.

For this reason, **we recommend to maintain the certificates of aptitude for driver training instructors** or other similar professional qualification mechanism that does not involve a significant tightening of the access conditions. If the training of driving school instructors is to be strengthened, there could be less restrictive alternatives, such as modifying the format or requirement of the tests to obtain the professional qualification, or the approval of continuous training programs for instructors.

VIII.C. Eliminate the double authorization to exercise as a driving school instructor or manager

In order to be able to perform their duties, driving school instructors and managers must obtain two authorisations: the corresponding certificate of aptitude and, in addition, an authorisation to exercise.

Exercise authorisations are linked to the provision of services in a specific driving school and must be requested each time the professional registers in a new centre. To the extent that the qualifying professional title exists, it may not be necessary to also require prior approval every time an instructor or managers joins or changes driving school, since both authorizations would certify the same thing: the suitability of the instructor or manager to carry out their functions. If the authorisation to exercise is intended to keep a record of where instructors and principals work, there are less restrictive alternatives, such as statements of compliance or prior communications.

Therefore, **we recommend to eliminate the authorisation to exercise as a driving school instructor or manager**, as currently provided for in art. 6.2 b) of the Driving Schools Regulation. Where appropriate, the establishment of a statement of compliance or obligation to communicate in advance could be considered.

VIII.D. Eliminate the double authorisation to exercise as a specialist instructor of the Diploma in Safe and Sustainable Mobility Training

R.D. 1010/2023 regulated the figure of "specialist instructors", who are responsible for teaching certain modules in the Higher Technician in Training Degree for safe and sustainable mobility. To be able to exercise, they must obtain two authorisations: a qualifying professional title and an authorisation to exercise.

Authorisations to exercise must be renewed each time the professionals move to provide services in a different training centre. The latter may be unnecessary, since the professional title already accredits the instructor's ability. If the aim is to keep a register of instructors, there are less restrictive options, such as statements of compliance or prior communications.

Therefore, **we recommend to eliminate the authorisation to exercise the provision of services as a specialist instructor in the Diploma in Safe and Sustainable Mobility Training**, currently provided for in article 48 ter. of the Driving Schools Regulation. Less restrictive control regimes, such as a statement of compliance or prior reporting obligation, could be considered.

VIII.E. Harmonize the requirements for the exercise as a trainer in the transport of dangerous goods

To drive vehicles transporting dangerous goods, a special permit (ADR permit) is required, which can be obtained by taking a specific course and passing practical exercises and a knowledge control test. It is also possible to obtain an ADR permit by taking specific modules within the framework of the training to obtain the CPC for the professional exercise of freight transport in heavy vehicles.

Although in both cases the training allows for the obtaining of an ADR permit, the professional qualification requirements of the instructors in charge of teaching it are different. Specifically, it is possible to work as a specialised instructor in an ADR centre by carrying out specific training courses for trainers of 210 hours duration (among other possible access routes) provided for in the Order on ADR training. On the other hand, the qualification to teach the modules related to the transport of dangerous goods in the field of CPC training can be obtained after completing courses with a total duration of 110 hours (among other possible access routes) regulated in Order FOM/2607/2010. Given that in both cases the effects of the training are the same, it does not seem essential that the requirements to be able to provide it are different.

We therefore recommend to harmonise the professional qualification requirements for the exercise of training in courses that lead to the obtaining of ADR permits. In this sense, if the requirements that specialist instructors must meet in CPC courses (less demanding) are sufficient, the

requirements provided for in the regulations governing ADR training courses should be lowered to be equivalent.

VIII.F. To make it easier for the same professional to carry out different training activities

Driving education includes different activities among which there are complementarities and common subjects. This may make it possible for the knowledge or experience of instructors or managers of one type of training centre to be applicable in another area. However, professional qualifications have different requirements, which causes fragmentation in the professions of driver training.

Consequently, **we recommend a general review of the regulations applicable to regulated professions related to driver training services, with the aim of simplifying, harmonizing and unifying procedures**, to facilitate the joint and efficient provision of the different services.

Specifically, consideration could be given to validating, as far as possible, professional qualifications for activities that can be considered similar. For example, it could be considered to make the requirements for working as a manager in the different types of centres more flexible, as is currently the case with the managers of CPC centres, who can be instructors or directors of any field of driver training. Where possible, consideration could be given to harmonising the professional profiles required of driver training centres, in order to reduce the number of professional profiles with similar skills.

Failing this, the content of the courses necessary to obtain the qualifying qualification could be reduced to what is essential when it is possible to accredit other relevant prior training. One way to achieve this is to exempt instructors from other areas of driver training from taking certain training modules, especially in cases where the knowledge acquired in these modules is checked in an exam to obtain the certification as a trainer, as is the case with CPC trainers.

IX. Facilitate the opening and activity of training centres for road safety training professionals

IX.A. Replace the administrative concession with a prior authorisation regime in the courses for obtaining certificates of aptitude for driving school instructors

To obtain the certificates of aptitude for driver training instructor, a theory test must be passed and practical training of several weeks must be taken. While the theory test is carried out directly by the traffic authority, the practical training is provided exclusively by a series of centres chosen through administrative

concessions granted through a public tender. Administrative concessions are one of the most restrictive forms of regulation of access to an activity, because they completely limit competition between operators by creating a temporary monopoly.

Recent experience with awareness-raising and re-education courses suggests that the transition from a concession system to an authorisation system can significantly increase the supply of training centres. On the other hand, the system of concessions adopted for the practical training of driving school instructors contrasts with the prior authorisation regime that applies in other comparable cases, such as in the qualification programmes for trainers in CPC or ADR courses.

By virtue of the above, **we recommend to replace the administrative concession regime of the "presence phase" (the practical training phase) of the courses for obtaining certificates of aptitude for driving school instructors with a prior authorization regime** that allows access to the activity to any training centre that meets the requirements. If traffic authorities wish to reserve supervisory and control powers, they could do so through less restrictive instruments, such as an appropriate authorisation and inspection regime or tests carried out directly by the administration.

IX.B. Replace the administrative concession regime with prior authorisation in the courses to obtain qualifications as a trainer and psychologist-trainer in road safety awareness and re-education courses

Road safety awareness and re-education courses are taught by trainers and psychologist-trainers, who, among other requirements, must obtain a specific professional qualification to be able to practice as such. In this case, the training to obtain the necessary professional qualifications is also provided exclusively by centres chosen through a public tender. Again, a prior authorisation regime would be less restrictive and could also certify that the necessary requirements to carry out the activity are met.

Therefore, **we recommended to replace the administrative concession regime for courses to obtain the professional qualifications of trainers and psychologists-trainers in road safety awareness and re-education courses with a prior authorisation regime** that allows access to any training centre that meets the corresponding requirements. A system of inspections or the implementation of some test by the administration could be sufficient to ensure the quality of training, with less distortion of the market functioning.

IX.C. To make it easier for the same instructor training centre to offer courses for different specialties

A key aspect in the qualification of trainers lies in the availability of centres that offer the necessary courses to obtain the professional qualifications required by the regulation.

Training centres for road safety instructors may find it attractive to take the courses required for different professional profiles at the same time. However, regulations establish different authorisations, with different requirements, for each specialty. Likewise, in general, joint training on common subjects for students from different courses is not contemplated. All this hinders the opening and activity of these centres, segments the offer and harms the training of driver training professionals.

By virtue of the above, **we recommend a general review of the requirements related to the opening and activity of educational centres for driver training professionals, with the aim of simplifying, harmonizing and unifying procedures**, to facilitate the joint and efficient provision of the different services. In this way, their regulation should be reviewed so that centres can simultaneously offer training for instructors in different areas of driver training, or even to instructors and students if the subject allows for it.

Specifically, the unification of authorisation procedures for centres that provide similar services, the authorisation of centres that have obtained authorisation to provide related training services, the harmonisation of the means required to obtain opening authorisations or the standardisation of training content and modules to facilitate the joint provision of activities can be assessed.

For example, the previous experience required of transport or driving training centres to act as a CPC centre could be harmonised with that required of formal regulated training and vocational training centres. The requirement for transport or driving training centres to have a certain minimum presence in the territory to be able to offer CPC courses could also be reconsidered (1st additional provision of Order FOM/2607/2021).

FOURTH. PROMOTING EFFICIENCY IN THE MANAGEMENT OF EXAMINATION CAPACITY

X. Further improving the rules for the allocation of examination capacity

In general terms, the CAPA System for the distribution of the available examination capacity between the different driving schools, regulated in Annex IX of the General Regulation for Drivers, represents an improvement over the previous systems, as it reduces distortions on the market and encourages driving

schools to present sufficiently prepared students. However, some aspects could be subject to revision. It is therefore proposed to:

X.A. Make public the details of the system's functioning and review it regularly

The CAPA System assigns the available exam capacity in each exam centre according to the pool of students in each driving school pending to take the test to control skills and behaviours on roads open to traffic, adjusted by a correction factor that takes into account the percentage of passes of each exam centre with respect to the average. That correction factor can have a significant impact on each driving school's exam ability, depending on how much driving schools with a lower pass rate are penalized. However, the exact functioning of the correction mechanism is not public. It is only indicated in art. 51.1 and in section 3 of Annex IX of the General Regulation for Drivers that "*the pass rate of each driving school with respect to the average of the exam centre will be taken into account*".

Increasing transparency could make it easier to plan driving schools and students and would also speed up the identification of problems, strengthening the system. In this line, the adjustment of the system, including the correction of potential failures in its functioning, would benefit from frequent monitoring and review.

For this reason, and for the sake of transparency, **we recommend that the exact formula used for the calculation of the correction factor is made public. It is also recommended to continuously monitor the operation of the correction factor** to adjust it if necessary.

X.B. Consider taking into account the differences in pass rates of the different licences in the calculation of the correction factor

Annex IX of the General Regulation for Drivers states that the correction factor is calculated taking into account the percentage of passes of each driving school with respect to the average of its examination centre. This can cause distortions if it is not adjusted to suit the characteristics of each licence category, as there are significant differences in pass rates. In this way, a driving school specialized in the formation of licences with a lower percentage of passes would be harmed, because this would make its average pass rate lower with respect to the exam centre.

Therefore, **we recommend to assess that the correction factor for the allocation of capacity between driving schools takes into account the differences in the average pass rates of the different permits.**

X.C. Consider taking into account the transfers of students between driving schools

In order for the distribution rules not to discourage the mobility of students between different driving schools, it is necessary that those that receive students who have started their training in another driving school see their allocated capacity increased proportionally.

Therefore, **we recommend to assess that the transfers of student between driving schools are taken into account for the allocation of capacity**, in such a way that the student pool used for the calculation reflects the students effectively enrolled in each driving school at each moment of time.

X.D. Frequently update the ratio used for the allocation of capacity between driving schools

The allocation of the available capacity between driving schools is based on historical information on the pool of students and the percentage of passes of each driving school. This could distort the functioning of the market and benefit incumbents if it is not frequently updated to adequately reflect the situation in the sector.

To mitigate this problem, **we recommend that the ratio used for the distribution of capacity between driving schools is updated as often as possible.**

X.E. Clarify and make public the rules of allocation under the reservation system

The CAPA System regulation contained in the General Regulation for Drivers does not specify what the criterion for allocating capacity under the reservation system is, nor whether requests of free candidates are taken into account in this distribution. The lack of transparency makes it impossible to check whether this distribution distorts competition between driving schools or harms students according to their type of licence or whether they present themselves on their own. At the same time, it makes it difficult to plan the activity of schools and students.

Therefore, **we recommend to clarify and make public the rules of distribution under the reservation system.** In this regard, reserves could be distributed according to the same criteria as the initial allocation of capacity, to ensure that the final result is not distorted.

XI. Make the rules for the presentation of students in different provinces and exam centres more flexible

Currently, each branch of a driving school can present students for the exam only in the province in which it is physically located, unless it obtains an explicit authorization from the traffic authority after proving the existence of circumstances that justify the presentation of students in a different province (art. 27 of the Driving Schools Regulation). In addition, if there are several examination centres in the same province, each branch is assigned a specific centre to present candidates.

These restrictions contribute to the geographical fragmentation of the market and may reduce the accessibility of the service in less populated municipalities. They can also lead to an inefficient use of exam capacity, as driving schools and students do not have the power to shift their demand from the most saturated exam centres to those that are less so.

Therefore, **we recommend to make the rules for the presentation of students in different provinces and exam centres more flexible**, so that driving schools and students can choose more easily where to apply.

XII. Consider adopting a capacity allocation system based on individual candidates' applications

The CAPA System places driving schools as intermediaries between the administration and the students. Although it is the students who take the exams, the available exam capacity is allocated to the driving schools, which then distribute this allocation among their students. This can generate biases derived from less information and control by students of their applications, less bargaining power of students vis-à-vis driving schools, or distortions and rigidities related to the intermediation of driving schools.

These problems could be avoided through a system that allocates available capacity directly to students, regardless of the driving school in which they are enrolled. This could also result in a general simplification of the system, as it would not be necessary to develop any mechanism for the distribution of capacity between driving schools and applications could be dealt with individually, in order of submission.

We therefore recommend that consideration is given to the adoption of a system of allocating available examination capacity based on the applications of individual candidates, rather than making a pre-allocation among driving schools. This would not be incompatible with students being able to choose to submit their application through their driving school if they consider it appropriate.

XIII. Consider introducing targeted incentives for learners to promote efficient use of available exam capacity

The saturation, in some cases, of the capacity to carry out exams has led to the development of systems for sharing the available capacity among driving schools. It has also led to the introduction of incentives to ensure that students who take exams are sufficiently prepared. These incentives are usually aimed at driving schools, for example, through the introduction in the CAPA System of a correction factor for schools with a lower percentage of passes. However, the problem could also be mitigated by introducing incentives aimed at the candidates themselves.

Thus, **we recommend to consider measures that encourage candidates to make efficient use of examination capacity.** Possibilities such as limiting to one, instead of two, the number of exam calls to which the exam fees entitle candidates, revising the mandatory waiting times in case of failure, or implementing deposits or fees that increase with the number of attempts could be considered. All this without prejudice to the responsibility of the public authorities to adequately measure the capacity and means to guarantee the correct provision of the service.

FIFTH. PROMOTING TRANSPARENCY AND BALANCING RELATIONSHIPS BETWEEN MARKET PLAYERS

XIV. Increase the information available to consumers on the services provided by driver training centres

Activities related to road safety training and, in particular, those of driving schools, are subject to information problems. It is difficult for consumers to know precisely the characteristics or quality of services prior to purchase, which can lead to inefficiencies. On the one hand, driving schools may have less incentive to offer a quality service and, on the other hand, consumers are less able to discipline the conduct of companies through their purchasing decisions.

To reduce such problems, **we recommend to increase the information available to consumers on the services provided by driver training centres.** For example, competent authorities could publish in an easily accessible way information that they already have and is relevant to consumers, such as driving school pass rates, clearly identifying the name and address of the centre.

XV. To facilitate the management by students of the administrative files and procedures related to obtaining a driving licence

The current model of management of the administrative files for obtaining the driving licence is based on the intermediation of the driving school in the applications for examination of its students, without these being directly related to the administration. This system makes it difficult for students to obtain information about their administrative files and reduces their bargaining power vis-à-vis driving schools.

Driving schools can charge commissions to students for the management of their documentation, with prior authorization and information on its cost. However, there is no clear information on the alternative of direct management of the administrative file by the student. Likewise, the DGT electronic office does not contemplate the possibility for a driving school student to directly request an aptitude test and the application on their own is only contemplated for the theory exam.

Therefore, **we recommend that traffic authorities provide all students**, both those enrolled and those not enrolled in a driving school, **with the possibility of managing their administrative files and exam requests**. Thus, the presentation of students on their own would be facilitated and an alternative would be given to students who prefer to manage their file directly.

XVI. Promote compliance with competition regulation from institutions, companies and associations in the sector

The commitment to an efficient and competitive market by all participants in that market, including administrations, companies and associations, is essential to achieve its proper functioning. Therefore, the national and regional competition authorities must continue to be vigilant and rigorously apply competition regulations in order to prevent and sanction anti-competitive conducts, in addition to carrying out actions that promote a greater culture of competition.

It is also essential that companies and associations in the sector are committed to respecting competition regulation and promoting a competitive environment. The existence of competition infringements in the past in this sector, in several cases affecting associations, underlines the importance of maintaining a high level of commitment to competition on the part of administrations, companies and associations, the latter being able to be of great help in preventing new cases of anticompetitive conduct.

We therefore recommended that institutions, companies and associations in the sector maintain a high level of commitment and respect for the regulation and the promotion of a culture of competition. Competition

authorities should maintain a high standard in their prevention, supervision and sanctioning activities to ensure compliance.

For their part, companies and associations must maintain a high commitment to respect competition regulation. To do this, it is recommended that they observe the recommendations of the [Guide for Business Associations](#). Finally, the competent administrations should incorporate competition considerations into their actions, with the aim of preventing risks and favouring the competitive functioning of the markets.

XVII. Promote pro-competitive conditions in the access to publicly owned practice grounds

The land for driving school practices may have some characteristics of an essential asset to carry out part of the activities of the sector. This is due to the need to have them to carry out some driving practices (specifically, for all licences except AM, A1, A2, A -motorcycles and mopeds- and B -passenger cars-), the relatively high investment they require and the usual shortage of suitable spaces to deploy a facility of this type. Lack of access to this land can constitute a barrier when it comes to carrying out the activity in this sector, as it prevents training in the aforementioned driving categories. Their importance is reflected in the fact that, on occasions, driving grounds have been used as prominent elements in practices prohibited by competition regulation. Such conduct has even occurred on municipally owned grounds ceded to management companies made up of competing driving schools in the downstream market (see, for example, ACCO, 2011). It is important that the conditions of access to these grounds are adequate and favourable to competition, in particular in the case of municipally owned grounds, since its nature as a public asset makes it more unavoidable that the conditions of access are transparent, equitable and non-discriminatory.

Consequently, **we recommend to promote pro-competitive conditions of access to publicly owned practice grounds**. Thus, it is recommended that the owners and managers of grounds used to carry out driving practices adopt the necessary measures to guarantee transparent, equitable and non-discriminatory conditions of access.

Public administrations owning practice grounds should consider the risks associated with their transfer to private operators, in particular when there are no nearby alternatives and, especially, if the transfer is made in favour of vertically integrated companies or associations of companies offering driver training services. The award of practice grounds should be carried out through a competitive procedure and, in addition, the contract that implements the management should ensure access to any driving school that wants to practice under transparent, reasonable and non-discriminatory conditions. For their part, the companies in charge of managing these lands must take special care to

ensure that the conditions of use and access are equitable, non-discriminatory and always respectful of competition regulation. Finally, the introduction of a mediation or arbitration mechanism that facilitates the resolution of possible conflicts over access to practice grounds could be considered.

As for private land, owners have discretion over their use, although limited by the regulatory framework, including the precepts of competition law on prohibitions of horizontal agreements and abuse of dominant position.

XVIII. Traffic authorities must ensure free access to examination centres

Some land or facilities managed by private companies have been designated by traffic authorities as a place to conduct driving licence examinations. The owner would be in a very influential position over the sector if it had the capacity to affect access to facilities, for example, by setting prices or conditions, given that the main activity of driving schools is to prepare for driving tests. In some cases, driving schools have had to pay commissions for the use of the land in order to access the place where the exam is held (see file [no. 23/2010 ACCO](#)). This exemplifies that the management of examination grounds by a third party can introduce barriers, lead to differences in access between examination centres and create risks to competition, in particular if that third party has its own interests in other areas of the sector.

We recommend that traffic authorities ensure that access by driving schools to test centres is free and non-discriminatory, without prejudice to the application of administrative fees and rules on of examination capacity allocation. In general, official driving licence exams should not involve the payment of amounts different from the applicable public fees and should not be different depending on the test centre. If it is necessary to carry out exams on land owned by third parties, it would be advisable for the authorities to meet the costs arising from the rights of use. In the event that it is essential to pass on expenses or impose additional conditions on driving schools for the use of grounds or facilities used to carry out exams, it should be done in a totally transparent manner and without admitting any type of discrimination between operators.

XIX. Review the software tool for processing exam files by driving schools to facilitate its use without intermediaries

The DGT's AUES computer system speeds up the administrative processing of driving school files compared to the traditional processing of applications. For its integration, it is necessary to carry out prior computer development, which could cause many driving schools to acquire the service from a third party. In some cases, the providers of this service are industry associations, which could

strengthen their role as intermediaries vis-à-vis the administration and could even create risks for competition.

Therefore, **we recommend to review the AUES system to facilitate its use without the need for additional computer developments.** To this end, individual centres could be offered a way of jointly processing their files that offers the same functionalities of use as the AUES system, without the need to carry out their own computer development.

If the current system is maintained, marketers or providers of examination file management applications must clearly and effectively ensure that no centre, association or entity in the sector has access to commercially sensible information of competing companies, in order to prevent anti-competitive practices. To this end, it is advisable to limit as much as possible the information that is requested from driving schools, the people who have access to it and the data that is stored.

ANNEX I. INTERNATIONAL COMPARISON

This section discusses the procedure for obtaining a driving licence in different countries. The aim is to compare regulations on centres authorised by the administration (driving schools) and on professional qualifications for instructors or managers in the field of driver training. A sample of nine countries (Austria, Belgium, France, Germany, Ireland, Italy, Portugal, Sweden, and the United Kingdom) has been chosen, illustrative of the main regulatory models in the countries around us. The analysis is focused on the category B licence (passenger cars), as it is the most widespread.

A. Germany

In Germany, the regulation is found in the Driving Licence Order 2010 and the Beginner Driver Training Regulation 2012¹⁸². As a precondition, first aid training of 9 classes of 45 minutes is requested from an officially recognized centre.

There is generally a reserve of activity in favour of driving schools and both the content and duration of theory and driving training are regulated. The theory training comprises a series of regulated contents and grouped into a general part and a specific part for each type of licence. The minimum duration of the general training is 12 classes of 90 minutes. In the case of the B permit, the specific part is 2 classes of 90 minutes. In addition, mandatory training must be carried out in person in general¹⁸³.

As for practice, basic training with regulated content is mandatory and also a series of special routes¹⁸⁴. Compulsory training ends with the issuance of a certificate of completion by the driving school, which must be submitted to the authority responsible for the examinations to prove that the minimum mandatory content has been passed. After obtaining a driving licence for the first time, there is a probationary period of two years. If infractions of a certain seriousness are committed during this period, participation in a specific training course given by authorized centres is mandatory and, in addition, the probationary period is extended.

The general minimum age for obtaining a class B licence is 18 years. However, since 2011 it has been possible to obtain an accompanied driving licence at the

¹⁸² [Link](#) to the Regulation on driving licences (in German), and [link](#) to the Regulation on training for learner drivers.

¹⁸³ E-learning is exceptionally allowed but requires authorisation from the administration.

¹⁸⁴ There is no minimum duration for basic training, except for category D licences. Special routes consist of a minimum number of hours of practice on motorways, on conventional roads and driving in dark conditions. For example, for category B licences at least 3 lessons of 45 minutes in dark conditions, 4 lessons on motorways and 5 lessons on main roads are required.

age of 17 ("BF17" licence). The procedure for obtaining the BF17 licence is the same as for an ordinary B licence (in particular with regard to the compulsory training requirements), and its main feature is that it allows drivers to start driving at the age of 17, provided that the driving is always done in the presence of a companion.

Under the BF17 modality, the person acting as a companion must be officially designated as such before the competent administration and must meet a series of minimum requirements¹⁸⁵. The companion has no specific teaching function, so it is not mandatory for him to receive any training, nor is it mandatory for the vehicle used to meet any special conditions. Once the driver has reached the age of 18, it is possible to apply for the conversion of the BF17 licence into an ordinary category B licence.

B. Austria

The basic regulation in Austria is found in the Motor Vehicles Act of 1967 and the Driving Licence Act of 1997¹⁸⁶. As in Germany, before the start of the training it is necessary to take a 6-hour first aid course taught by centres and institutions recognized by the administration¹⁸⁷.

In Austria there is a reserve of activity in favour of driving schools. It is foreseen that the candidates will not be directly related to the administration, with the driving school being responsible for the administrative procedures. In addition, the driving school is assigned the mandatory theory and driving training.

The compulsory theory training consists of a series of "teaching units" of 50 minutes duration and regulated content. It is divided into basic training, which includes 20 teaching units, and a specific training depending on the type of licence (for example, for the B permit, 12 additional teaching units must be taught). Theory training should be in person, with exceptions.

Driving training is also regulated in 50-minute teaching units. Its content is different depending on the type of licence. In the case of a B licence, it includes 3 preparatory training units, 3 basic training units, 6 main training units and 5 advanced training units, which include three special routes (night driving, motorway and conventional road).

¹⁸⁵ Be over 30 years of age, hold a valid class B licence for at least 5 years and have not committed any offences implying a points penalty.

¹⁸⁶ [Link](#) to the Motor Vehicle Act (in German). [Link](#) to the Driving Licence Act (in German). General information on driving licences in Austria can also be found at the administration's citizen information service ([link](#) in English).

¹⁸⁷ The minimum duration is 16 hours for D and DE licenses. AM licenses are exempt.

However, it is also possible to take driving lessons with a lay instructor, except for A1, A2 and A licences. After preliminary training and basic training at a driving school, candidates can apply for accompanied driving training. Under this modality, it is necessary to travel a minimum distance of 1,000 km, after which an "observation tour" must be carried out in the presence of the companion and a driving school instructor, as well as carry out the advanced training at the driving school before being able to take the driving exam. To be a companion, it is required to have a licence of the corresponding category for 7 years, to prove a close relationship of affinity with the candidate (it is forbidden for the companion to receive remuneration), and not to have committed serious traffic offences in the previous 3 years. The vehicle is not required to meet any special conditions, beyond being marked as a learning vehicle.

Once the permit is obtained for the first time, there is a three-year probationary period subject to restrictions. In addition, for A and B permits, a "second phase of training" is necessary after obtaining the permit. In the case of the B licence, the second phase consists of two further training courses with an authorised driving instructor and a course on safe driving, which must be completed within 12 months after obtaining the licence. Likewise, if serious traffic offences are committed during the probationary period, additional training is required to be provided by authorised centres, and the duration of the probationary period is extended for another year.

Finally, there is the possibility of obtaining a category B licence at the age of 17, through the "L17" training, based on accompanied driving. Under the L17 model, mandatory training requirements in driving schools must be met, similar to those of the ordinary B licence. During the driving training phase, a maximum of two non-professional companions must be appointed, in charge of supervising the learning. At least 3,000 km must be travelled, and every 1,000 km the candidate and companion must undergo supplementary training sessions at an approved driving school. Once the minimum accompanied training and the mandatory training in driving schools have been completed, it is possible to take the driving exam.

C. France

In France, the regulation is included in the Highway Code¹⁸⁸. Individuals under the age of 21 who wish to obtain a driving licence for the first time must first pass a compulsory theory training. Specifically, within the framework of the general French schooling system, two training courses on road safety must be followed, at 14 and 16 years of age. After each of the courses, a theory test must be

¹⁸⁸ [Link](#) to the Highway Code (in French). General information can also be found at the citizen information service ([link](#) in French).

passed, which results in the "school road safety certificate" (ASSR).¹⁸⁹ Individuals who do not hold an ASSR2 certificate must pass a specific theory test in order to obtain an equivalent "road safety certificate"¹⁹⁰.

In France, it is not compulsory to receive training at a driving school, and both the theory exam and the driving exam can be prepared on freely. Notably, in 2024 a reform came into force that reduces the general minimum age for obtaining a B licence to 17 years¹⁹¹.

In relation to theory training, it is only necessary to pass a multiple-choice test on the subjects established in the regulation. The preparation can be done freely or through a driving school, without the need to receive a minimum number of classes or carry out any type of regulated training.

Driving training can be done at a driving school or freely. In turn, driving school training is compatible with several modes of accompanied driving. In the case of preparation through a driving school, at the beginning of the training it is mandatory for the driving school to sign a "standard training contract" with the candidate, which has a regulated format and serves to set the conditions of the service (rates, training program, obligations of the parties, etc.). The preparation can be carried out entirely at the driving school, but it is also possible to complete the training with one of the accompanied driving modalities that exist for the B licence: the "advance learning to drive" from the age of 15 (AAC, *Apprentissage Anticipé de la Conduite*) or "supervised driving" (*conduite supervisée*)¹⁹².

In both cases, a minimum of 20 hours of driving training in a driving school is required¹⁹³. Once the compulsory training has been completed, and if in the opinion of the driving school instructor the candidate has sufficient preparation, the driving school issues a "certificate of completion of initial training" (*Attestation de Fin de Formation Initiale*, AFFI), which allows access to accompanied driving. Likewise, before starting the accompanied driving phase, both the candidate and one of their companions are required to participate in a 2-hour training with a driving school instructor, after which the companion is given a guide on accompanied driving.

¹⁸⁹ *Attestation Scolaire de Sécurité Routière de 1er niveau (ASSR1) and 2e niveau (ASSR2)*.

¹⁹⁰ *Attestation de Sécurité Routière (ASR)*. Obtaining the ASR certificate only requires passing an examination, without any specific training. Individuals under 25 years of age who hold French nationality must also have previously attended a Defence and Citizenship Day (*Journée Défense et Citoyenneté, JDC*), which includes a module related to road safety.

¹⁹¹ The aim is to promote autonomy and access to employment for young people (information note at the following [link](#) (in French)).

¹⁹² There is also a 'guided driving' mode (*conduite encadrée*) from the age of 16, for people who wish to take up professional driving activities.

¹⁹³ Including at least 15 hours of training on roads open to traffic or 10 hours on open roads if the driving school uses a driving simulator for teaching.

Under the early learning modality from 15 years of age, the accompanied driving phase must last at least one year and at least 3,000 km must be travelled. In addition, two additional training sessions, lasting 3 hours, must be carried out in the presence of a driving school instructor and one of the companions: one between 4 and 6 months after obtaining the "certificate of completion of the initial training" and another when the mandatory 3,000 km have been travelled.

For its part, "supervised driving" is designed as a way to complement training at the driving school. In this case there are no requirements for duration or minimum distance. The main difference with early learning is that the candidate is required to be of the minimum age for the B licence at the time of starting accompanied driving. With regard to the companion, it is required that he or she has a valid B licence for 5 years, and that he or she has not been deprived of the right to drive for offences during the last 5 years. The vehicle used must be properly marked as such, and the insurer must also be notified of its use for this purpose (the insurer may require an extension of the insurance).

In addition, free preparation is allowed, based exclusively on driving accompanied by a lay instructor. In this case, no requirement of regulated training, distance or duration of the training is required. The companion must meet the same requirements as in the other forms of accompanied driving and must also sign the "companion statute"¹⁹⁴, which indicates the obligations to be assumed during the training. It is also necessary to obtain a "learning notebook",¹⁹⁵ which serves as a guide for teaching and to record the progress made. With regard to the learning vehicle, for self-preparation it is mandatory that the vehicle is insured, marked as a learning vehicle and that it has double mirrors and double controls for the passenger¹⁹⁶. Finally, the municipalities can establish prohibited areas for driving instruction in which free candidates are not allowed to drive during the training phase.

Once a driver's licence is obtained, there is a probationary period of 2 or 3 years during which restrictions apply, such as a lower maximum speed or lower alcohol levels¹⁹⁷. Although it is not mandatory, in the period between 6 and 12 months after obtaining the permit it is possible to do complementary training in driving schools that have a "quality driving school" certificate issued by the administration¹⁹⁸. This lasts 7 hours and allows the probationary period of the

¹⁹⁴ *Charte de l'accompagnateur* (it can be found at the following [link](#), in French).

¹⁹⁵ *Livret d'apprentissage* (its content can be found at the following [link](#), in French).

¹⁹⁶ In France, there is a rental market for vehicles equipped with dual controls that can be used for informal training.

¹⁹⁷ The probationary period is 3 years as a general rule, but in the case of preparation in the case of early learning, it is reduced to 2 years.

¹⁹⁸ More information on "quality driving schools" can be found in the following [link](#), in French.

driving licence to be reduced to 2 years or 1 year and 6 months, depending on the initial duration.

D. Belgium

The regulation is found in the Highway Code, the Road Traffic Law and its implementing regulations¹⁹⁹. In Belgium there are no prerequisites before starting preparation, apart from having reached the minimum age (for a B licence it is 18 years old, although it is possible to take the theory exam at 17 years old). Except for C and D permits, a certificate of medical aptitude is not required either, being sufficient a declaration of responsibility by the candidate and the passing of a vision test. In relation to preparation, it is not mandatory to receive regulated training in a driving school, and there are several learning paths based on accompanied driving.

The theory exam comprises two tests: a test on general traffic rules, and a risk perception test. Although initial preparation in a driving school is not mandatory, in case of failing the test twice in a row it is mandatory to receive 12 hours of theory training in an authorized driving school in order to be able to take it again. If the risk perception test is failed twice in a row, it is mandatory to receive at least 3 hours of training at a driving school.

After passing the multiple-choice test, it is possible to apply for a provisional driving licence to prepare for the driving test. At the time of application, the candidate must choose between one of the three possible learning paths: "direct access", "driving school preparation", and "free preparation"²⁰⁰.

- **Direct access:** the preparation is carried out entirely in a driving school. Under this system, the candidate must enrol in an authorized driving school and receive a minimum of 30 hours of driving training. Upon completion of the compulsory training, the driving school issues a "certificate of driving training" that allows the candidate to take the driving exam.
- **Driving school preparation:** it is a combination of driving school training and unaccompanied autonomous learning. First of all, it is required to drive a minimum of 20 hours at a driving school. Once completed, the driving

¹⁹⁹ In Belgium there are common provisions, but the regions also have regulatory competences, so regulation may vary. This analysis has been based (unless otherwise indicated) on the regulation of the Walloon region. General information can be found on the administration's portal ([link](#) in French). [Link](#) to the Highway Code (in French). [Link](#) to the Road Traffic Act (in French). [Link](#) to the regulations on driving licences (in French).

²⁰⁰ In the case of Wallonia. In Flanders there is a choice between two routes: unsupervised learning (in a driving school with the possibility to apply for a learner's permit afterwards) or supervised learning (with a lay instructor). In practice, however, it works in a similar way.

school issues a practical teaching certificate that allows the candidate to take a "test of technical driving skills" at one of the available exam centres. If this test is passed²⁰¹, the examination centre issues a certificate of aptitude which can be submitted to the competent traffic authority for the purpose of obtaining a provisional licence valid for 18 months ("M18 licence").

The M18 licence allows the candidate to start the autonomous learning phase, in which the presence of a companion is not necessary. This phase has a minimum duration of 3 months and a maximum duration of 18 months, during which the candidate must travel at least 1,500 km. It is also necessary to complete the "*Roadbook*", an official document that serves as a guide for learning and as a record of training. Once these requirements have been completed, it is possible to take the exam for a final permit²⁰². Certain restrictions also apply during the autonomous learning phase: the vehicle must be signposted, it is forbidden to drive at night on public holidays and the eve of public holidays, and no more than two passengers are allowed, who must also meet certain requirements (they must have a valid category B licence for at least 8 years and must not have been deprived of the right to drive during the previous 3 years).

- **Free preparation:** it does not require minimum training in a driving school. In this case, after passing the theory exam, it is possible to apply for the issuance of a provisional driving licence valid for 36 months ("M36 licence"). At the time of application, it is mandatory to designate one or two companions, who must always be present during the apprenticeship. To be a companion it is necessary to have a B licence with 8 years of experience, not to have been deprived of the right to drive during the previous 3 years and not to have been designated as a companion of other people during the previous year. It is also required that the candidate and their companion have participated in previous training (*rendez-vous pédagogique*), which can be carried out at a driving school or on authorized online platforms. As for the vehicle, it is mandatory that it is signposted and has double mirrors.

Once these requirements have been met, the accompanied driving phase must have a minimum duration of 3 months and a maximum of 36 months, and at least 1,500 km must be covered and the "*Roadbook*" must be

²⁰¹ If the technical skills test is failed twice in a row, a minimum of 6 hours of driving school training is mandatory before retaking the test.

²⁰² On the day of the practical test, a companion is required to be in the vehicle, apart from the examiner. The companion may be a driving instructor or another person. If the driving test is failed twice in a row, a further 6 hours of additional training at a driving school are mandatory before the next attempt.

completed. The same restrictions apply as for the M18 licence, and passengers other than designated companions are prohibited from being in the vehicle.

Once the licence is obtained, there is a probationary period of 2 years. While there are no specific restrictions during this period, in the event of an infraction the penalties are stricter. In addition, in the Flanders region it has been mandatory since 2018 to participate in further training provided by an approved institution between 6 and 9 months after the initial obtaining of a B permit²⁰³. This training lasts 4 hours and includes theory and practice.

E. United Kingdom

The basic regulation is found in the Road Traffic Act 1988²⁰⁴. To start the preparation, it is not necessary to meet special requirements, apart from being of the minimum age (in general, a B licence can be obtained from the age of 17). A visual capability requirement, which is assessed on the day of the road test, must be met before the test begins.

It is not compulsory to attend a driving school, and it is possible to prepare for the tests freely. The theory exam includes a test and a risk perception exam. There is no need for training before the theory test, and there are resources for preparation developed by the traffic authority²⁰⁵. It is also possible to start driving training before passing the theory test, although to take the driving test it is necessary to have passed the theory exam.

There are no requirements to prepare for the driving test either²⁰⁶. Practices can be done with an authorised driving instructor²⁰⁷ or a lay instructor. In order to be a companion, it is required to be over 21 years old and to have a driving licence of the relevant category with 3 years of experience. The vehicle must be marked as a learning vehicle and have specific insurance. In addition, on the day of the driving test it is mandatory that the vehicle has a double interior mirror for the

²⁰³ [Link](#) to the 2018 Decree on the additional training session in the framework of category B training (in French).

²⁰⁴ [Link](#) to the Road Traffic Act. General information can be found in the administration's citizen information platform ([link](#) in English).

²⁰⁵ They can be found in this [link](#) (in English).

²⁰⁶ However, the traffic authority publishes forms that can be used on a voluntary basis to guide learning and record progress (available at the following address [link](#), in English).

²⁰⁷ In the United Kingdom there is no regulation of “driving schools”, understood as commercial establishments to which material and human resources are assigned for the purpose of being used for driving instruction. Only the figure of the ‘driving instructor’, the person authorised to teach driving in return for payment, is regulated.

examiner. Finally, it is not allowed to drive on motorways except in the presence of an authorised driving instructor and in a vehicle equipped with dual control²⁰⁸.

Once the driving licence has been obtained, there is a probationary period of 2 years. In this period, the balance of points is lower and, if it runs out, it is necessary to apply for a new provisional licence and pass the driving tests again. Although it is not mandatory to take training after obtaining the licence, there is an improvement course (the *Pass Plus*) aimed at improving driving skills and road safety. It is a 6-hour driving course on different types of roads and conditions (city, motorway, at night, in bad weather, etc.), which can only be taught by a driving instructor, and its main advantage is that some insurers offer discounts to those who have passed them (insurers can join voluntarily).

F. Ireland

The basic regulation is found in the Road Traffic Act of 1961 and its implementing regulations²⁰⁹. In Ireland there are no prerequisites for preparing the driving licence tests, apart from being of the minimum age required, which in the case of a B licence is 17 years.

The first step is to pass the theory exam. There is no obligation to undergo specific training and there are preparation materials prepared by the traffic authority²¹⁰. It consists of a multiple-choice test on the rules of the road.

In order to start driving, it is necessary to obtain a "*learner permit*". This requires having passed the theory exam and also presenting a medical certificate of visual ability. With the learner's permit it is possible to carry out driving training in the presence of an authorised driving instructor²¹¹ or a lay instructor. In order to be a lay instructor, a two-year-old driving licence is required. As for training, from the issuance of the learner's permit it is not possible to take the practical exam until after 6 months²¹², and it is also not possible to take the driving test without having completed basic training with an authorized driving instructor. In the case of the B licence, this training consists of 12 one-hour driving sessions, covering subjects that are particularly relevant to road safety (night driving, anticipation and

²⁰⁸ In the Northern Ireland region, it is also not permitted to drive faster than 45 mph (just over 70 km/h) while learning to drive.

²⁰⁹ [Link](#) to the consolidated version of this Act. More information from the Road Safety Agency can be found at the following [link](#) (in English).

²¹⁰ They can be found in the following [link](#) (in English).

²¹¹ As in the UK, Ireland does not regulate "driving schools" but only "driving instructors".

²¹² The aim of this requirement is to encourage candidates to gain further supervised driving experience prior to obtaining a full driving licence.

reaction, speed management, etc.)²¹³. The vehicle must not meet special requirements, although it must be marked as a learning vehicle and insured for such use. The main restriction during learning is the prohibition of driving on motorways.

After the initial obtaining of the driving licence there is a probationary period of 2 years, during which alcohol limits are lower than the general ones and the balance of points is lower. There is no obligation in Ireland to receive additional training after obtaining a driving licence.

G. Italy

The basic regulation is found in the Highway Code of 1992 and its implementing regulations²¹⁴. In Italy, attendance at a driving school is not generally mandatory, although in the driving training phase there is an obligation of minimum training in a driving school.

The process begins with the theory exam, which consists of a test. No previous training is required, only to be of minimum age (for a B permit it is 18 years old) and to present a medical certificate accrediting an adequate condition.

Once the theory test is passed, it is possible to apply for a provisional permit (called *foglio rosa*), which authorizes the candidate to practice driving. Driving lessons can be taken at a driving school instructor or with a lay instructor who meets certain requirements. In order to be a lay instructor, it is required to have a B licence with a minimum of 10 years of seniority and not to be older than 65 years. Since the issuance of the *foglio rosa* it is not possible to take the driving test until at least a month has passed and, in addition, it is mandatory to carry out a minimum training with a driving school instructor of 6 hours divided equally into night driving, motorway and interurban road driving.

In the case of accompanied driving, there are no special requirements for the vehicle, apart from being marked as a learning vehicle²¹⁵. In addition, the

²¹³ They are called “Essential Driver Training” (EDT). It is not compulsory to do the basic training before starting the accompanied practice.

²¹⁴ [Link](#) to the Highway Code (in Italian). [Link](#) to the Regulation on enforcement and implementation of the Highway Code (in Italian). More general information can be found at the information service of the Ministry of Infrastructure and Transport ([link](#) in Italian) or in the Motorists' Portal ([link](#) in Italian).

²¹⁵ The vehicle used for the practical test must have dual controls.

maximum speed on motorways and interurban roads is reduced and there are restrictions on transporting passengers other than the passenger²¹⁶.

After obtaining the permit there is a probationary period of 3 years, during which the speed allowed on motorways and interurban roads is lower and the alcohol limit is zero. In addition, it is not allowed to drive vehicles that exceed a certain power/weight ratio, except in the presence of a companion who meets the same requirements as for accompanied driving.

In general, it is necessary to be 18 years old before starting the driving training. However, in the case of people with an A1 (low-powered motorcycles) or B1 (light quadricycles) licence, it is possible to practice driving from the age of 17 by means of an accompanied driving permit (*autorizzazione alla guida accompagnata*). In this case, it is required to have attended a driving course of at least 10 hours in a driving school.

H. Portugal

The basic legislation is contained in the Highway Code of 2013, the Driving Licence Regulations 2012 and the Driving Education Legal Regime Act 2014²¹⁷. All training is regulated and it is generally mandatory to register in an authorized driving school, which is in charge of the procedures before the public administration.

The procedure begins with the registration in a driving school, for which a training contract is signed, the content of which is regulated. To do this, it is required to have the minimum age (for a B permit it is 18 years old) and a medical report that proves an adequate condition. In order to take the theory test, it is necessary to first receive training in a driving school, 28 hours in the case of obtaining a B licence for the first time. Part of the theory training can be given remotely, but in some modules face-to-face training is required. In case of failure, an additional 5 hours of theory training in driving school are required before taking it again.

Driving practice can be done in parallel with theory preparation. However, it is necessary to pass the theory test in order to be able to take the driving test and it is mandatory to have received a part of the theory training before the start of the driving training. It is mandatory to receive a minimum number of hours of driving training and to travel a minimum distance with a driving school instructor

²¹⁶ Passengers are allowed in the vehicle as long as a qualifying passenger sits in the front passenger seat, but in this case, it is not allowed to drive on motorways, on main intercity roads, or at night.

²¹⁷ [Link](#) to the Highway Code (in Portuguese). [Link](#) to the Regulation on driving licences (in Portuguese). [Link](#) to the Law on the Legal Regime of Driving Education (in Portuguese). More information at the general citizen information service of the administration. ([link](#), in English).

(32 hours of training and 500 km in the case of the B licence²¹⁸). In addition, in case of failing the driving test, it is mandatory to receive a minimum additional training before being able to participate in another call.

In Portugal, accompanied driving is allowed, under restrictive conditions. Specifically, it is necessary that the candidate has completed at least 12 hours of driving training and travelled 250 km with an authorized driving school, and complete a 7-hour theory training module on road safety in a driving school. In addition to that, it is necessary to have a driving licence that is at least 10 years old and not have been convicted of serious offenses during the previous 5 years. It is also necessary that the tutor takes out specific civil liability insurance and that the vehicle used during the training is properly marked as such. With regard to traffic, during accompanied driving the transport of passengers other than the companion is not allowed, nor is it allowed to circulate on motorways. Finally, accompanied driving does not exempt candidates from carrying out the minimum mandatory hours and distance in a driving school.

First-time driving licences are subject to a 3-year probationary period, during which there are stricter limits on the level of alcohol.

I. Sweden

The basic legislation consists of the Driving Licences Act 1998 and the Driving Licences Regulation 1998²¹⁹. In general, registration in a driving school is not mandatory to prepare for driving tests, although there are certain mandatory training requirements.

The process begins with applying for a learner's permit, which authorizes to practice driving and take driving tests. To do this, it is necessary to have the minimum age required (in the case of the B licence, 18 years old, although the provisional licence can be requested from the age of 16) and present a medical certificate accrediting a minimum visual capacity.

There is no requirement to take the theory exam, which consists of a multiple-choice test. It is possible to prepare it through a driving school or freely.

Driving practice can be done in parallel with theory preparation, although it is not possible to take the driving test without having passed the theory one. In addition, to take the driving test for motorcycle licences (A1, A2 and A) and licence B, it is

²¹⁸ Also, a minimum of two hours of night driving “whenever possible”.

²¹⁹ [Link](#) to the Driving Licensing Act (in Swedish). [Link](#) to the Regulation on driving licences (in Swedish). More information on the Traffic Authority's information service ([link](#) in English) or the Swedish Transport Agency ([link](#) in English).

necessary to undergo a 7-hour training on risks at an authorised centre, comprising theory and practice.

Driving training can be done in a driving school or with a non-professional companion. There are no minimum requirements on the duration or conditions of the training. In the case of the B licence, in order to be a companion it is mandatory to pass a 3-hour introductory course at an authorised centre. In addition, the companion must be over 24 years old, possess a licence of the relevant category with a minimum of 5 years of age, and not have been sanctioned with the loss of the right to drive during the last 3 years. There are no special restrictions on circulation, nor on the conditions that the vehicle used for learning must meet, beyond being signposted as such. However, the vehicle used for the driving test (B licence) must belong to a driving school or the Swedish Traffic Authority. For candidates who take the exam on their own, the Traffic Authority rents their exam vehicles for the test.

Driving licences are subject to a probationary period of 2 years. During this time, if traffic violations are committed that involve the loss of the right to drive, the licence is completely lost. To recover it, it is necessary to pass all the tests again.

ANNEX II. DESCRIPTION OF THE INFORMATION USED AND THE DRIVING SCHOOL DATABASE

A. Sources of information

The CNMC has collected information from both publicly accessible and restricted access sources.

The following information has been obtained **from public sources**:

- Information on drivers, licences, driving tests and DGT vehicles, extracted from its website²²⁰. In particular, information from the General Statistical Yearbook, the census of drivers and driving licences.
- Information on CPC training available in the MTMS. The statistics on the training of CPC professional drivers relating to initial training courses, continuing education and CPC cards have been obtained, as well as the historical information accessible in the Observatorio del Transporte y la Logística en España. In turn, the MTMS provides a list of authorized centres to teach CPC courses²²¹.
- Information from Eurostat's Harmonised Index of Consumer Prices.
- Information on the population of Spanish municipalities from the INE's 2021-2023 Annual Population Census. The series have been completed for previous years using the population growth rates of the Continuous Register Statistics.
- Coordinates of the Spanish municipalities of the Geographical Nomenclature of Municipalities of the Instituto Geográfico Nacional. Based on this information, the kilometre distance by road between the municipalities of the driving school headquarters and the municipalities of their branches has been calculated, from OpenStreetMaps.
- Information on the shareholders of the companies that own driving schools, which has been accessed through the Sistema de Análisis de Balances Ibéricos (SABI) tool.

The above information has been completed with an **information request** addressed to the DGT. In particular, the following information has been requested:

- Monthly data from the Register of Driver Training Centres, including registration data, personal resources and material resources of private driving schools, between 2008 and 2023.

²²⁰ The data was collected from the DGT Statistical Portal. As of 1 July 2024, this information is available in the section “DGT in figures”, at the following [link](#).

²²¹ Accessible at the following [link](#).

- Monthly data on the number of examiners of the Provincial Traffic Authorities, between 2008 and 2023.
- Information on the different examination processes to obtain the certificates of aptitude for director and instructor of driving schools, convened between 2008 and 2023.
- Information on the training centres for drivers of vehicles transporting dangerous goods in 2022.
- Information on road safety awareness and re-education centres.
- Information on the operation of the CAPA System.

The information received on private driving schools has been combined with that published on the DGT website and information from SABI's annual accounts, to build a database with 1,711,266 monthly observations of 472 variables, corresponding to the 17,308 different branches of driving schools registered in Spain between 2008 and 2023.

For each branch registered during the period 2008-2023, the following information is observed:

- Registry information on its branch number, the driving school code to which it belongs, date of registration and, where appropriate, deregistration from the Register of Driver Training Centres.
- Information about the owner of the driving school identified in the Register of Driver Training Centres. This information has been combined with information on shareholder links from SABI to identify driving school groups. Driving schools that have identified the same owner to the DGT have been considered part of the same group. Driving schools in which more than 50% of the ownership is owned by the same owner have also been considered as belonging to the same group. In this way, 540 business groups have been identified made up of more than one driving school²²².
- Information on the number of managers and instructors assigned to each branch.
- Information on the number of vehicles assigned to each branch, classified according to the construction criteria contained in the General Vehicle Regulation, which allow the type of vehicle to be identified, and with an indication of whether they belong to a group of vehicles.

²²² Of these, 530 correspond to driving schools with the same holder with the DGT and 10 have been found through the shareholder information provided by SABI.

- Information relating to the examinations carried out by each branch, publicly available on the DGT website²²³. The information has been linked by reference to the unique identifier used by the DGT to designate each school and each branch in the Register of Driver Training Centres. It includes the total number of exams taken for each type of test and type of licence, the number of successful and unsuccessful candidates, and whether those successful have been successful in the first, second, third, fourth, or higher call.

B. Representativeness of the driving school database

Table 7 below summarizes the quality of the information contained in the driving school database for the year 2023 as a whole. The information has been classified into several groups of variables, which correspond to the columns of the table: registration information (branches and driving schools), information on ownership (groups), information on staff (instructors and managers), information on vehicles and information on exams.

Table 7. Number of registrations and representativeness of the database of private driving schools for drivers, in 2023

Complete database	Branches	Driving schools	Groups	Instructors	Managers	Vehicles	Tests
No. of observations	7,986	5,175	4,925	2,846	604	34,389	2,482,272
Representativeness (observed/registered branches)	100%	100%	99%	20%	5%	98%	90%

Source: Authors' elaboration with information from the DGT and SABI. Note: ¹ The number of observations reflects the number of unique observations of each variable at some point in 2023. The periodicity of the data is monthly.

The first row of the table above shows the total sum of observations recorded in each set of information, for the year 2023. Thus, according to the information presented in the table, during 2023 7,986 different branches of private driving schools were registered in Spain, belonging to 5,175 schools registered in the Register of Driver Training Centres. If we take into account the shareholder and ownership links, these driving schools belonged to 4,925 different business groups. With regard to the means used by schools, the DGT registers a total of 2,846 instructors and 604 managers and 34,389 vehicles in 2023. Finally, the

²²³ Micro-data on exams per branch or driving school can be found [here](#).

DGT exam microdata includes 2,482,272 driving school exams carried out at all the Provincial Authorities.

The second row of the table above shows the representativeness of the information in the database, in terms of the number of branches for which information is available regarding the total number of registered branches. In view of the above information, the small number of personal means registered in schools is significant. This is possibly due to the existence of a large number of omitted observations.

Thus, while the information regarding the ownership and number of vehicles and driving school exams seems relatively complete (data are observed for 90% or more of the registered branches), the information on instructors and managers is very incomplete, so it will not be taken into account in general when characterizing the competitive dynamics of the sector.

A final aspect to highlight from the table above is that, assuming that the information on exams reported by the DGT is complete, not all registered branches are active, as only 90% (7,173) took an exam during this year. Therefore, the characterization of this study focuses on the subset of schools that are considered active, because they have presented students to the exams during the period considered.

C. Descriptive statistics of the driving school database

Table 8. Descriptive statistics from the driving school database. Annual data 2008-2023

Variable	Managers	Instructors	Vehicles	Tests	Pass	Failures	Closed circuit	Theory	Theory (specific)	Driving
Sum	73,442	238,459	791,798	38,699,452	21,906,073	16,794,151	4,247,265	12,246,913	3,485,661	18,719,613
Mean	1.04	2.42	8.94	295.05	167.01	128.04	32.38	93.37	26.58	142.72
Standard dev.	0.25	2.07	19.58	746.30	405.15	347.52	88.36	391.50	280.65	139.69
Min.	1	1	1	1	0	0	0	0	0	0
P25	1	1	2	116	62	50	0	40	0	61
P50	1	2	4	207	113	91	3	69	5	108
P75	1	3	9	359	200	158	34	114	26	181
Max.	6	36	314	151,034	80,930	70,104	15,281	72,620	62,059	3,928
N° Observations	70,598	98,492	88,607	131,163	131,163	131,163	131,163	131,163	131,163	131,163
Max. observations	142,255	142,255	142,255	142,255	142,255	142,255	142,255	142,255	142,255	142,255

Source: Authors' elaboration with information from the DGT and SABI. Note: table prepared from an unbalanced panel of annualized monthly information at the branch level, with size $N = 17,308 \times T = 16$ (number of branches x number of years). To annualize the monthly information of each branch-year observation, the average of the monthly data (in the case of the managers, instructors and vehicles variables) or the sum of the monthly data (in the case of the rest of the information, related to exams) has been taken. A fictitious branch has been included to group the exam data of free candidates (corresponding to the maximum number of exams). The indicators sum, mean, standard deviation, minimum, maximum and 25th, 50th and 75th percentiles have been calculated from the values associated with each variable in each branch and year. The number of observations refers to the number of branches and years for which a given variable is observed. The Max. Observations row collects the total number of observations from branches and years in the sample and represents the maximum number of possible observations of each variable.

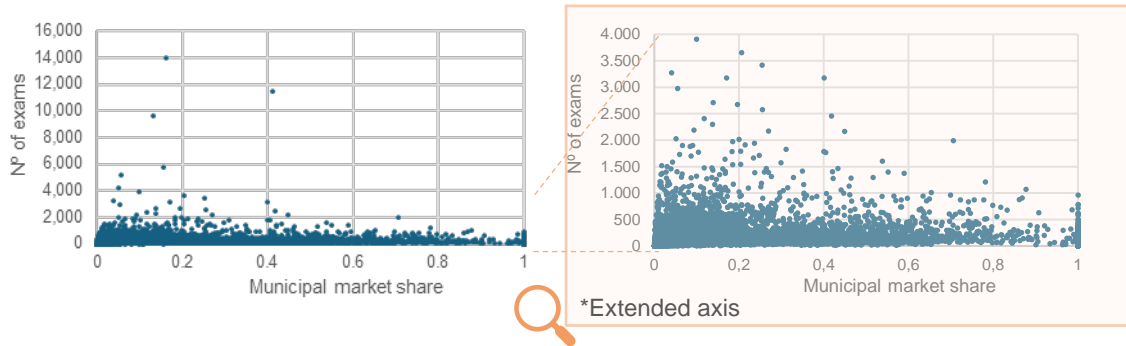
Table 9. Number of exams taken in 2023, by type of exam, student origin and type of permit

Type of exam	Type of student	A	B	C	D	E	L	Total
Theory	Free candidates	783	37,020	0	0	0	n.a.	37,803
	Driving school	39,774	802,759	0	0	0	n.a.	842,533
	Total	40,557	839,779	0	0	0	n.a.	880,336
Theory (specific)	Free candidates	3,332	0	1,399	368	622	259	5,98
	Driving school	140,873	0	41,888	12,937	19,848	292	215,838
	Total	144,205	0	43,287	13,305	20,47	551	221,818
Closed circuit	Free candidates	269	1	0	1	0	230	501
	Driving school	195,116	1,246	41,386	13,077	33,201	176	284,202
	Total	195,385	1,247	41,386	13,078	33,201	406	284,703
Driving	Free candidates	0	24	0	0	0	n.a.	24
	Driving school	101,524	954,459	45,954	13,346	24,416	n.a.	1,139,699
	Total	101,524	954,483	45,954	13,346	24,416	n.a.	1,139,723

Source: Authors' elaboration with information from the DGT. DGT licence classification according to the type of vehicle: licence A (A1, A2, AM, AML, LCC), licence B (B, B96, B+E), licence C (C, C1, C+E, C1+E), licence D (D, D1, D+E) and L (LCM, LVA).

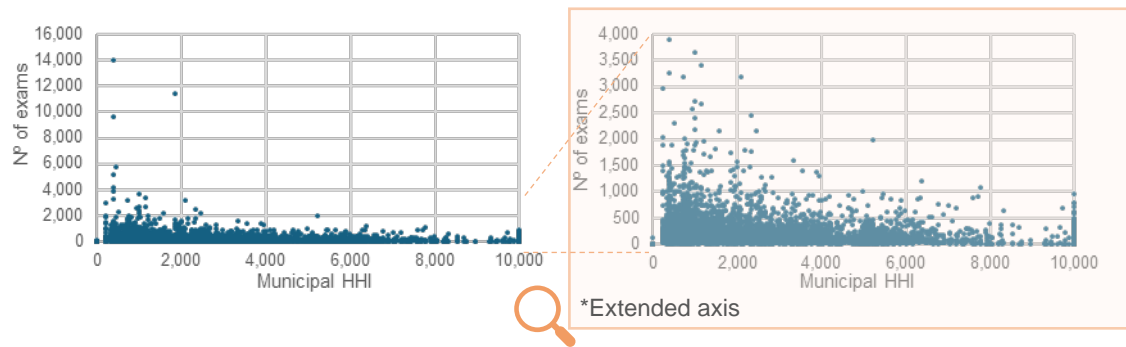
D. Relationship between performance indicators and the market power of driving school groups

Figure 40. Relationship between the number of tests carried out by each group of driving schools in each municipality and the market share of the group in that municipality, in 2023



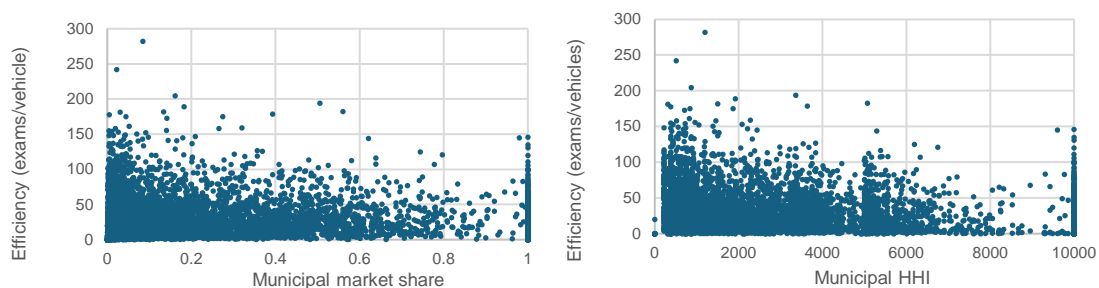
Source: Authors' elaboration with information from the DGT and SABI.

Figure 41. Relationship between the number of tests carried out by each group of driving schools in each municipality and the HHI index of that municipality, in 2023



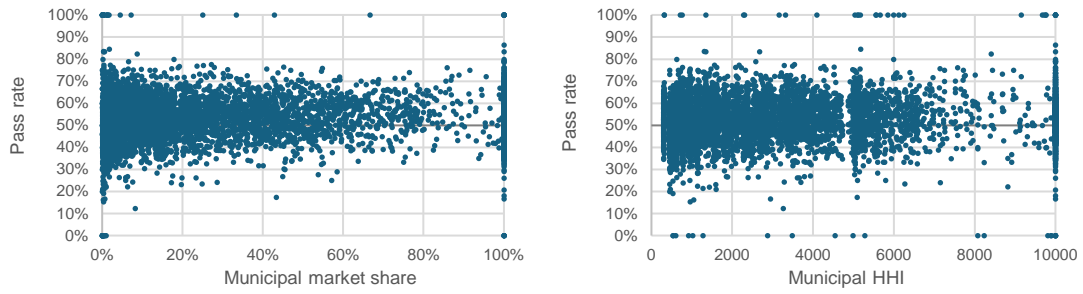
Source: Authors' elaboration with information from the DGT and SABI.

Figure 42. Relationship between the efficiency, according to the number of tests carried out per vehicle, of each group of driving schools in each municipality and the market power indicators in that municipality, in 2023



Source: Authors' elaboration with information from the DGT and SABI.

Figure 43. Relationship between the quality, according to the pass rate in all exams, of each group of driving schools in each municipality and the indicators of market power in that municipality, in 2023



Source: Authors' elaboration with information from the DGT and SABI.

ANNEX III. TYPES OF PERMITS AND CLASSIFICATION

Table 10. Types of driving licences, description and classification according to the vehicle and the recipient of the training

Type of Permit	Classification according to		Description
	Vehicle	Mass	
A	A	Light	Motorcycles and motor tricycles.
A1	A	Light	Motorcycles with a maximum displacement of 125 cm ³ and maximum power of 11 kW (just under 15 hp).
A2	A	Light	Motorcycles with a maximum power of 35 kW (just under 47 hp).
B	B	Light	Automobiles whose maximum authorized mass does not exceed 3,500 kg that are designed and built for the transport of not more than 8 passengers in addition to the driver.
B96	E	Light	Sets of coupled vehicles consisting of a towing vehicle authorised to drive by a class B licence and a trailer with a maximum authorised mass exceeding 750 kg, provided that the maximum authorised mass of the set does not exceed 4,250 kg.
BTP (exp.)	E	Light	Priority vehicles when they are in urgent service, vehicles that carry out school transport when transporting schoolchildren and vehicles intended for the transport of passengers in service of this nature, all of them with a maximum authorised mass not exceeding 3,500 kg and their number of seats, including the driver, does not exceed 9. No longer in force.
C	C	Heavy/ag ro.	It authorises the driving of cars other than those authorised to drive by the class D1 or D licence, whose maximum authorised mass exceeds 3,500 kg.
C1	C	Heavy/ag ro.	Automobiles other than those authorised to drive by a class D1 or D licence, whose maximum authorised mass exceeds 3,500 kg and does not exceed 7,500 kg.
D	D	Heavy/ag ro.	Automobiles designed and built for the transportation of more than eight passengers in addition to the driver.
D1	D	Heavy/ag ro.	Automobiles designed and built for the transport of no more than 16 passengers in addition to the driver and whose maximum length does not exceed 8 meters.
B+E	E	Light	Sets of coupled vehicles consisting of a towing vehicle for which the class B licence authorises to drive and a trailer or semi-trailer with a maximum authorised mass not exceeding 3,500 kg.
C+E	E	Heavy/ag ro.	It authorises the driving of sets of coupled vehicles consisting of a towing vehicle of which it authorises the class C licence to drive and a trailer or semi-trailer whose maximum authorised mass exceeds 750 kg.
C1+E	E	Heavy/ag ro.	Authorizes the following vehicles to drive: - Sets of coupled vehicles consisting of a towing vehicle authorised to drive by a class C1 licence and a trailer or semi-trailer whose maximum authorised mass exceeds 750 kg, provided that the maximum authorised mass of the set thus formed does not exceed 12,000 kg. - Sets of coupled vehicles consisting of a towing vehicle for which the class B licence authorises to drive and a trailer or semi-trailer whose maximum authorised mass exceeds 3,500 kg, provided that the maximum authorised mass of the set does not exceed 12,000 kg, without prejudice to special rules established for these vehicles.
D+E	E	Heavy/ag ro.	It authorises the driving of sets of coupled vehicles consisting of a towing vehicle of which it authorises the class D licence to drive and a trailer whose maximum authorised mass exceeds 750 kg.
AM	A	Light	It allows the driving of mopeds (up to 50 cc) with two or three wheels and light quadricycles.
AML	A	Light	It allows the driving of light tricycles and quadricycles (up to 50 cc), it does not allow the driving of mopeds.
LCC (ext.)	A	Light	Moped fitted with an auxiliary engine with a cylinder capacity not exceeding 50 cc and which, due to its construction, cannot reach a speed of more than 40 km/h on the flat. No longer in force.
LCM	L	Light	To drive vehicles for people with reduced mobility.
LVA	L	Heavy/ag ro.	To drive special self-propelled agricultural vehicles and their assemblies whose maximum authorised mass or dimensions do not exceed the limits established for ordinary vehicles or whose maximum speed per construction does not exceed 45 km/h.

ANNEX IV. GEOGRAPHIC AND COMPETITOR ANALYSIS

Table 11 shows the branches by province in 2023 and their distribution according to inhabitants between 15 and 34 years of age. It also includes the average HHI index and CR_4 concentration ratio of the municipalities in the province, weighted by the weight of each municipality over the total number of exams carried out in the province²²⁴.

Table 11. Distribution of branches and indicators of provincial concentration

Province	Branches	Branches/ 1,000 hab. 15-34	HHI	CR4
Albacete	105	1.23	2,708	65%
Alicante	272	0.66	2,929	72%
Almería	144	0.8	2,765	74%
Álava	34	0.53	1,787	58%
Asturias	139	0.84	2,35	65%
Avila	45	1.53	2,845	69%
Badajoz	149	1.03	3,849	83%
I. Baleares	144	0.5	3,002	79%
Barcelona	726	0.54	2,188	65%
Vizcaya	144	0.65	2,727	71%
Burgos	35	0.52	2,764	82%
Cáceres	70	0.91	3,740	84%
Cadiz	231	0.83	1,987	65%
Cantabria	80	0.73	3,831	88%
Castellón	82	0.64	3,066	76%
Ciudad Real	113	1.05	3,189	81%
Córdoba	188	1.09	2,508	69%
La Coruña	124	0.62	3,323	79%
Cuenca	47	1.11	3,140	82%
Gipúzcoa	83	0.57	4,047	82%
Gerona	108	0.59	4,585	93%
Granada	199	0.93	3,387	80%
Guadalajara	42	0.69	3,115	75%
Huelva	112	0.93	3,336	81%
Huesca	31	0.68	3,634	94%
Jaén	169	1.20	3,195	75%
León	51	0.67	2,379	65%
Lérida	84	0.86	3,206	76%
Lugo	45	0.85	3,946	72%
Madrid	815	0.52	1,575	54%
Málaga	260	0.67	2,162	68%
Murcia	299	0.81	2,015	62%
Navarre	87	0.60	3,511	71%
Orense	47	0.95	2,848	64%
Palencia	22	0.80	2,788	72%
Las Palmas	131	0.49	2,406	70%
Pontevedra	140	0.78	3,274	74%
La Rioja	38	0.58	2,543	60%
Salamanca	45	0.74	2,482	66%
SC. Tenerife	142	0.59	2,874	73%
Segovia	31	0.99	3,864	85%
Sevilla	353	0.80	2,338	65%
Soria	22	1.27	3,150	75%
Tarragona	105	0.57	3,257	74%
Teruel	24	0.89	3,879	91%
Toledo	164	1.02	4,642	87%
Valencia	403	0.70	2,701	67%
Valladolid	67	0.69	2,112	61%
Zamora	26	0.96	2,029	72%
Zaragoza	136	0.67	1,586	45%
Ceuta	11	0.49	1,458	69%
Melilla	9	0.38	1,603	73%
Total	7,173	0.69	2,617	69%

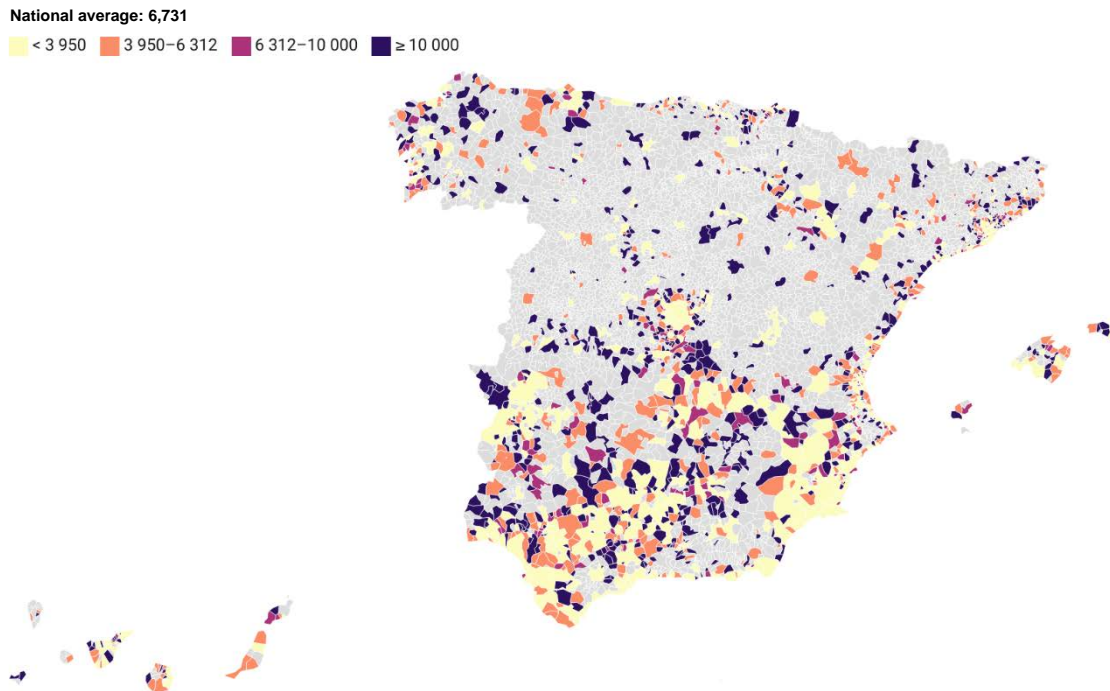
Source: Authors' elaboration with information from the DGT, SABI and the INE. Note: the HHI and CR4 indices of each province correspond to the average of the HHI and CR4 indices of the municipalities, weighted by the weight of each municipality over the total number of exams carried out in the province.

²²⁴ The concentration ratio CR_4 is an indicator of market concentration calculated as the sum of the market shares of the first four companies in a sector.

The above information indicates that the **distribution of branches** is similar to that of driving school groups, with a greater presence in the main population centres (Madrid, Barcelona), the Mediterranean arc and the south of the peninsula. However, the distribution of branches according to the population between 15 and 34 years of age reflects a lower concentration in the provinces of Barcelona, Madrid, Valencia or Vizcaya, being higher than the national average in Andalucía, Castilla-La Mancha, Castilla y León and Extremadura. This could be due to the larger relative size of branches in the most populous provinces.

Figure 44 shows the **competitive situation** of Spanish municipalities in 2023, in terms of their HHI index. The high number of municipalities that presented a single operator (747 municipalities, 43% of the total) is noteworthy. On the other hand, municipalities with larger populations tend to show lower concentration rates (indicated in yellow).

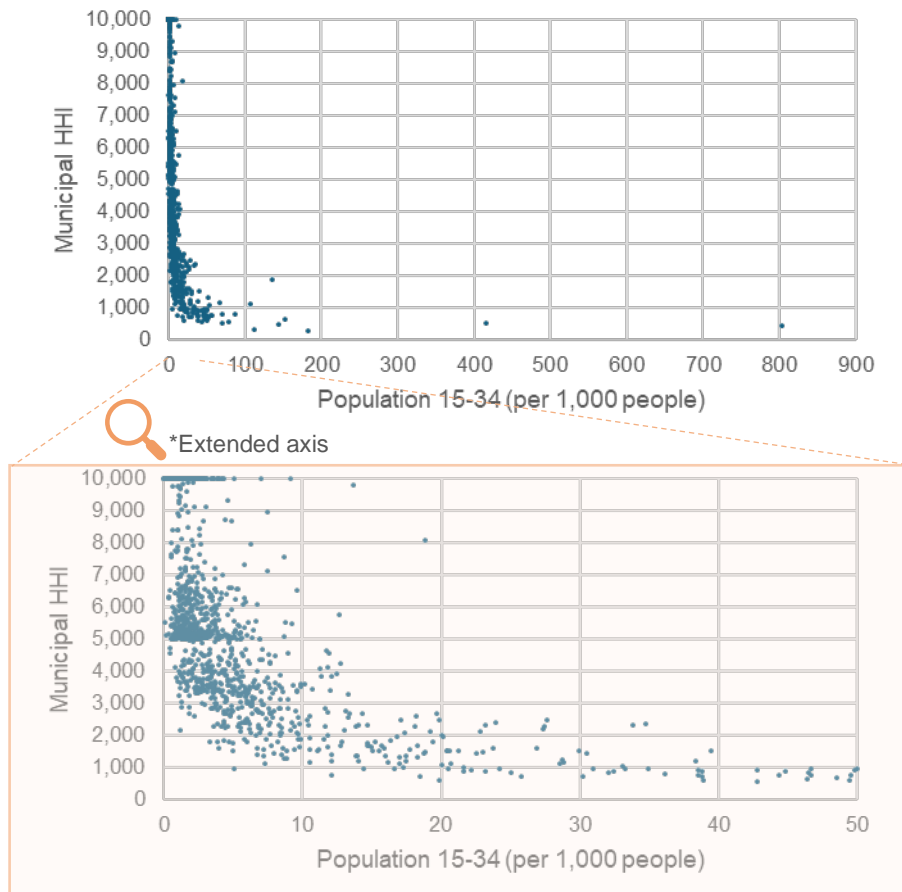
Figure 44. HHI index of Spanish municipalities in 2023



Source: Authors' elaboration with information from the DGT and SABI. Note: Municipal HHI calculated from the number of exams performed by each group in each municipality in 2023.

The existence of a negative relationship between the size of the population and the concentration index of the municipality can be seen in Figure 45, especially when analysing the less populated municipalities (Figure shaded with the enlarged axis). In this way, none of the municipalities with a single operator has more than 10,000 inhabitants between 15 and 34 years of age.

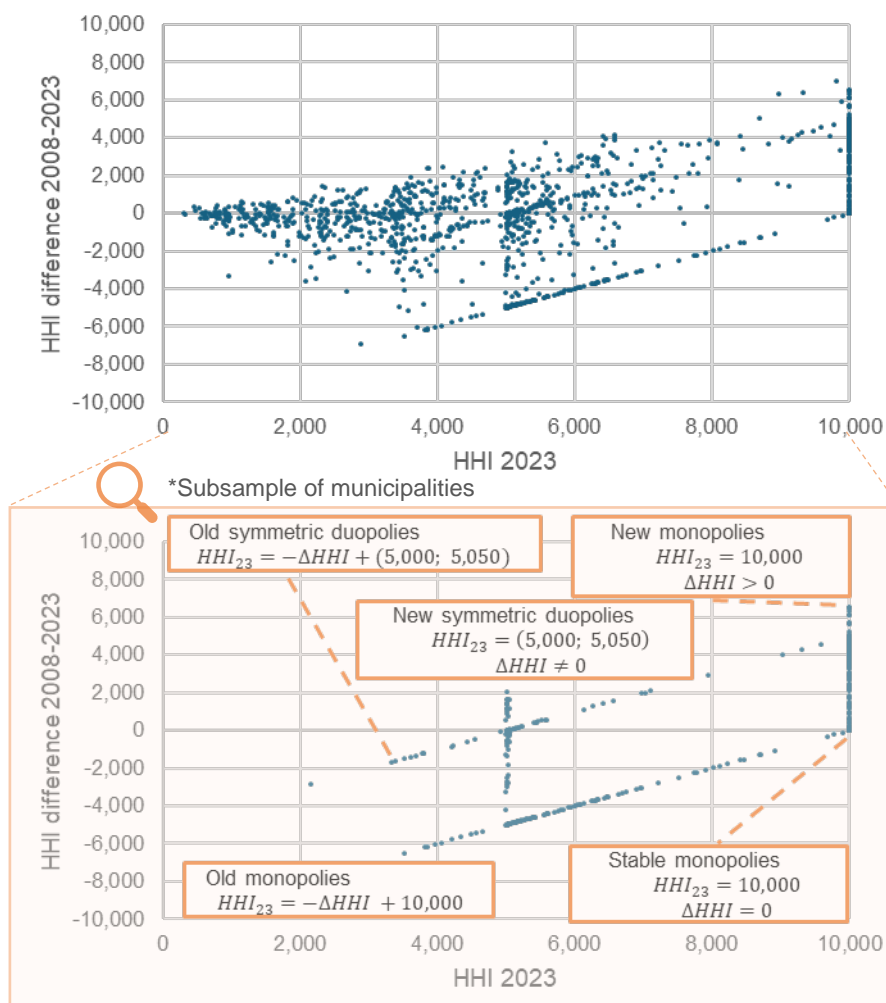
Figure 45. HHI index and population between 15 and 34 years of age in Spanish municipalities in 2023



Source: Authors' elaboration with information from the DGT, SABI and INE. Note: Municipal HHI calculated from the number of exams for each group in each municipality in 2023.

In order to analyse **competitive dynamics**, it is of interest to examine the **evolution of municipal HHI indices** from 2008 to the present. Figure 46 below shows the concentration index of municipalities in 2023, and its difference with respect to the 2008 index, for the subset of municipalities that had at least one driving school on both dates (1,645 municipalities).

Figure 46. HHI of Spanish municipalities in 2023 and their difference compared to 2008, and detail of the competitive dynamics of interest



Source: Authors' elaboration with information from the DGT and SABI. Note: Municipal HHI calculated from the number of exams performed by each group in each municipality in 2023.

Figure 46 shows that 38% of municipalities had an HHI index in 2023 higher than in 2008, 33% saw their HHI index reduced, and 28% recorded a constant HHI. Of the latter, all were municipalities with a single operator. Thus, of the local monopolies existing in 2023, 71% have been so since 2008.

If the temporal evolution of the HHI index is analysed according to its initial situation, 60% of the 579 municipalities that had an HHI of less than 5,000 points in 2008 have seen their index increase, compared to 40% that have a lower HHI in 2023. Due to the construction of the HHI index itself, these municipalities have

at least three operators²²⁵. In turn, of the 1,066 municipalities that had an HHI equal to or greater than 5,000 points in 2008 (which can be presented by any number of operators), 26% registered an increase in the index in 2023, 30% a reduction, and 44% maintained it (local monopolies).

Figure 46 has also identified a subset of municipalities that present patterns of interest for the analysis of competitive dynamics. In total, there are 860 municipalities (52% of those that have had at least one driving school between 2008 and 2023) that are ascribed to five possible non-exclusive situations:

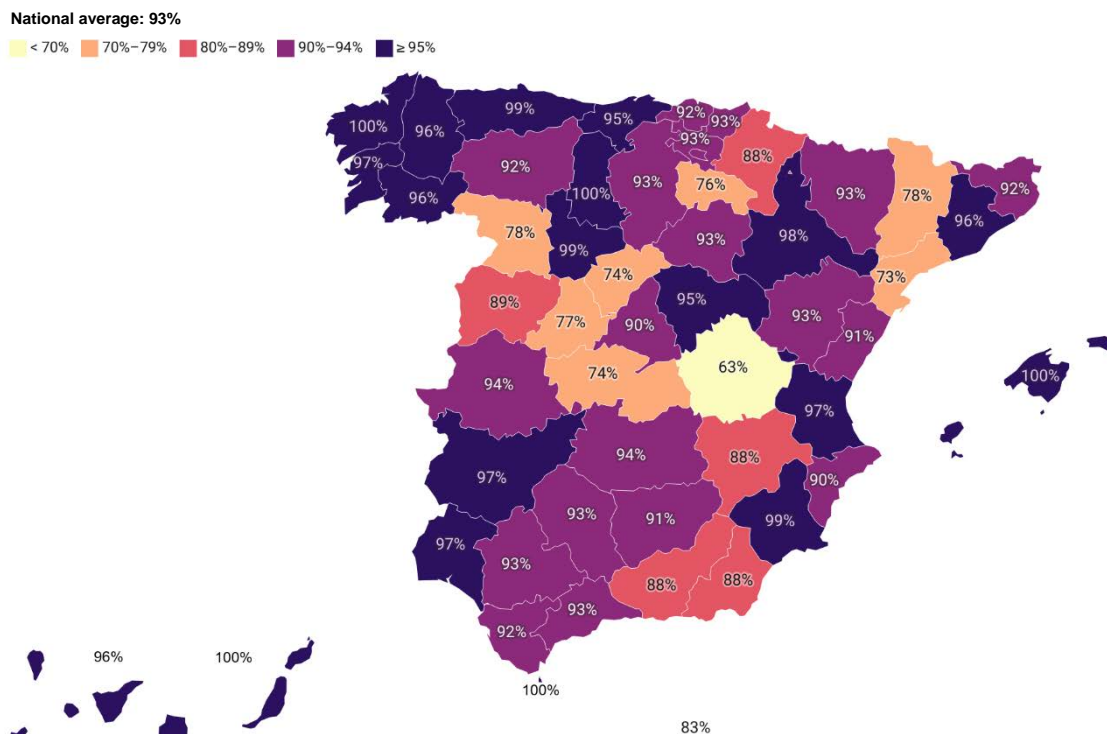
- Former symmetrical duopolies (73 municipalities), in which there has been the entry of new operators that have reduced the concentration index (14 municipalities) or there has been an increase in the share of one of the duopolists (59 municipalities)²²⁶.
- New symmetrical duopolies (74 municipalities), which were not in this situation in 2008.
- Old monopolies (111 municipalities), which have been broken by the entry of new operators.
- New monopolies (188 municipalities), due to the departure of operators.
- Stable monopolies (466 municipalities), which were already stable in 2008.

Finally, it is of interest to analyse the **dynamics of geographical expansion** of driving school groups. Thus, 93% of the branches of driving schools in Spain are located in the same province as their parent company. This same pattern is maintained when analysing each province separately (Figure 47). The driving school groups with a greater presence in other provinces are those in Cuenca, with only 63% of branches in the same province as their parent company. This figure reaches or exceeds 90% in most Spanish provinces, with no substantial differences with provinces that have substantial geographical barriers, such as the islands, or Ceuta and Melilla.

²²⁵ For any number of players in the market, the HHI is minimum when all of them have the same market share. With two companies, the minimum possible value is 5,000 ($HHI = 2(50)^2$).

²²⁶ Municipalities with two active driving school groups and a concentration index between 5,000 and 5,050 points in a given year are considered symmetrical duopolies. That is, markets in which there are two firms and both manage approximately the same number of tests.

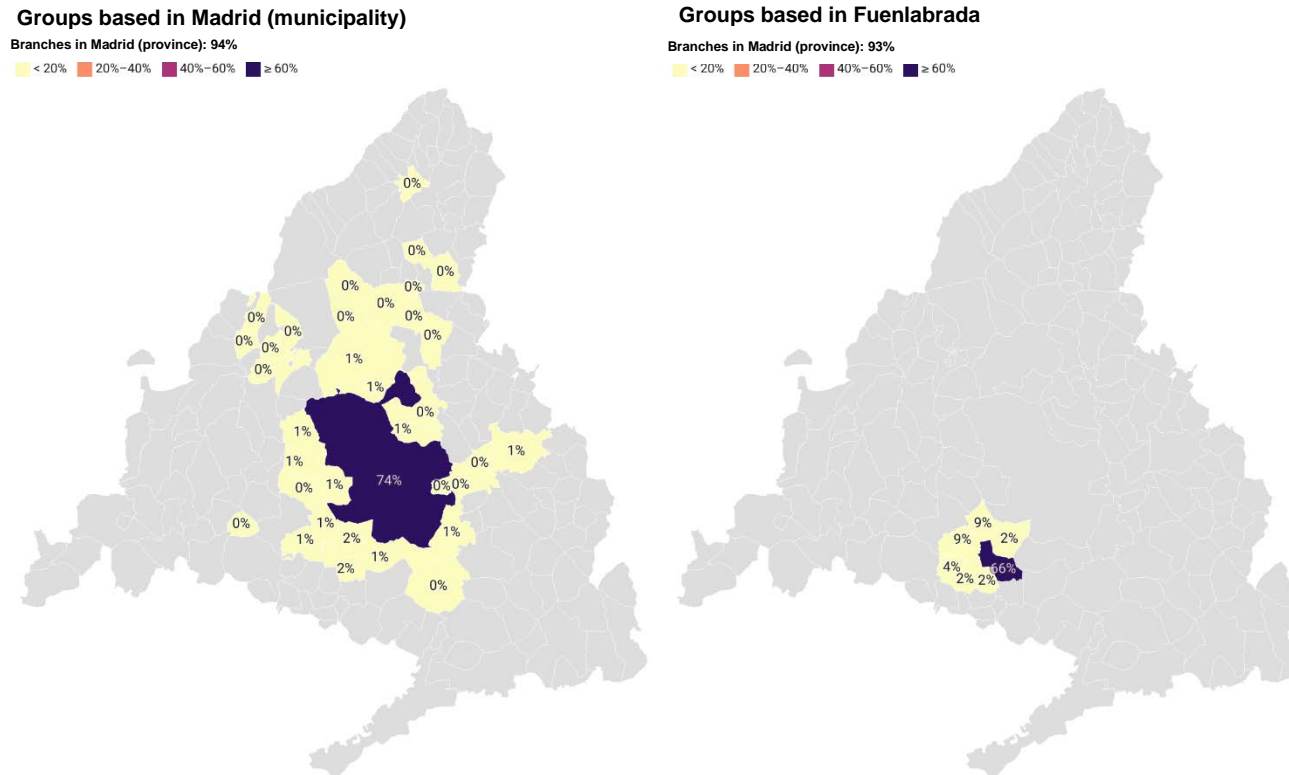
Figure 47. Percentage of branches located in the same province as their parent company, according to the province of origin of the parent company



Source: Authors' elaboration with information from the DGT and SABI. Note: The Figure shows what percentage of the branches of the driving school groups with headquarters in a given province are located in that same province. The first branch of the group is considered to be the parent company. In case of coincidence of registration dates, the branch with the most exams in that year are taken.

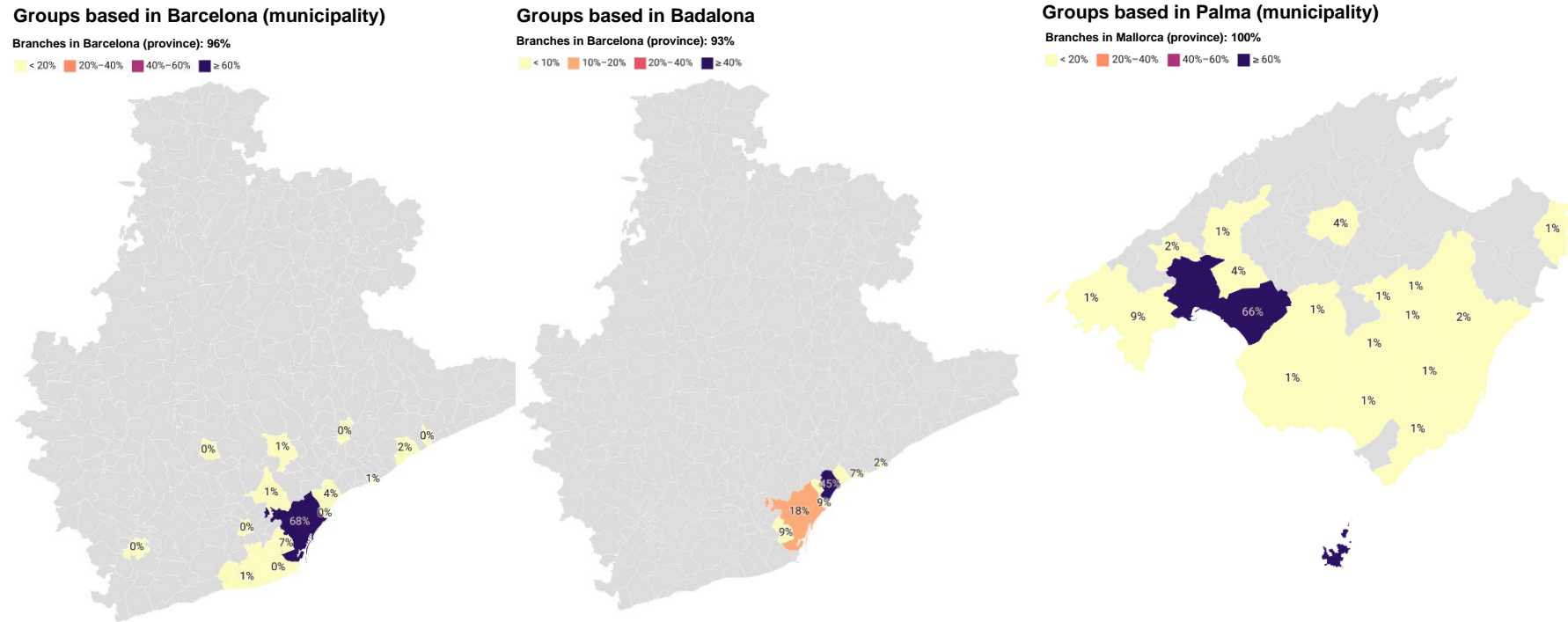
At the municipal level, the expansion patterns of driving school groups reflect the local character of the market. Figure 48 below shows the patterns of opening of new branches, according to the municipality of domicile of the parent company, for five Spanish municipalities. The information shows that driving schools tend to expand to a small number of nearby municipalities, and they tend to prioritise opening new branches in the same municipality as the parent company rather than expanding to other municipalities, even if these are important markets, as is the case of Madrid for the driving schools in Fuenlabrada, or Barcelona for the driving schools in Badalona. The geographical patterns of peninsular municipalities do not differ from island municipalities such as Mallorca.

Figure 48. Distribution of the new branches opened by the driving school groups, according to the municipality of origin of the parent company



Source: Authors' elaboration with information from the DGT and SABI. Note: The Figure shows what percentage of the branches of all the driving school groups with headquarters in a given Spanish municipality are located in the different municipalities of its province. The first open branch of the group is considered to be the parent company. In case of concurrence of registration dates, the branch with the highest number of exams carried out in that year is taken.

Figure 48 (cont.). Distribution of new branches opened by the driving school groups, according to the municipality of origin of the parent company



Source: Authors' elaboration with information from the DGT and SABI. Note: The Figure shows what percentage of the branches of all the driving school groups with headquarters in a given Spanish municipality are located in the different municipalities of its province. The first open branch of the group is considered to be the parent company. In case of concurrence of registration dates, the branch with the highest number of exams carried out in that year is taken.

BIBLIOGRAPHY

- ACCO. (2011). *Resolución del expediente n.º 23/2010 (Asociación de Autoescuelas de la zona de Vilafranca).*
- ACCO. (2015). *Resolución del expediente n.º V-23/2010, Asociación de Autoescuelas de la zona de Vilafranca.*
- ACCO. (2016). *Resolución del expediente 60/2024, Autoescuelas de Terrassa.*
- ACCO. (2019). *Resolución del expediente n.º 81/2016: Condiciones acceso examen práctico de conducir.*
- Adecco. (2024). *III Informe sobre necesidades del mercado de trabajo.*
- AdIC. (2016). *Avis n° 16-A-07 du 26 février 2016 relatif à un projet d'arrêté réformant la méthode d'attribution des places aux épreuves du permis de conduire.*
- Beanland, V., Goode, N., Salmon, P., & Lenné, M. (2013). Is there a case for driver training? A review of the efficacy of pre- and post-licence driver training <https://doi.org/10.1016/j.ssci.2012.06.021>. *Safety Science*, Volume 51, Issue 1, 127-137.
- CDCA. (2016). *Resolución S/03/2016, Autoescuelas Sevilla.*
- CDCA. (2017). *Resolución S/01/2017, Autoescuelas Cádiz.*
- CDCA. (2019). *Resolución S/10/2019, Autoescuelas de Huelva.*
- CDCA. (2021). *Resolución S_10/2021, Autoescuelas Córdoba.*
- CNC. (2009). *Informe sobre el sistema diseñado para la gestión de los cursos de sensibilización y reeducación vial contemplados en la Ley 17/2005, de 19 de julio.*
- CNC. (2010). *IPN 38/10 Reales decretos ómnibus. Escuelas particulares conductores.*
- CNMC. (2014a). *Informe de 5 de agosto de 2014 sobre la reclamación presentada contra el régimen de concesión administrativa previsto para la gestión e impartición de los cursos de sensibilización y reeducación vial (UM/026/14).*
- CNMC. (2014b). *Informe de 6 de septiembre de 2014 sobre la reclamación presentada, al amparo del artículo 28 de la Ley 20/2013, relativa a la prohibición de enseñanza de contenidos teóricos online por parte de escuelas de conductores (UM/042/14)º.*
- CNMC. (2015). *Informe de 13 de enero de 2015 sobre la reclamación presentada, al amparo del artículo 26 de la Ley 20/2013, contra los pliegos administrativos para al concesión de la gestión de cursos de sensibilización y reeducación vial (UM/078/14).*
- CNMC. (2016). *Resolución del expediente SAMAD/07/2015, Autoescuelas Alcalá de Henares.*
- CNMC. (2018). *Resolución del expediente SAMUR/001/16, Autoescuelas Murcia.*
- CNMC. (2019). *IPN/CNMC/032/19 Proyecto de Real Decreto por el que se modifca el reglamento general de conductores.*
- CNMC. (2020). *Resolución expediente SAMAD/06/18: Exámenes autoescuelas Madrid.*

- CNMC. (2023a). *IPN/CNMC/012/23: PRD por la que se modifica el reglamento regulador de las escuelas particulares de conductores y el reglamento general de conductores.*
- CNMC. (2023b). *IPN/CNMC/032/23: P.O. por la que se regula la duración, el contenido y los requisitos de los cursos de conducción segura y eficiente cuya realización conlleve la recuperación o bonificación de puntos.*
- CNMC. (2024). *IPN/CNMC/005/24: P.O. por la que se regulan los cursos de sensibilización y reeducación vial para los titulares de un permiso o licencia de conducción.*
- Conseil de la Concurrence. (2016). *Le marché des auto-écoles: Enquête sectorielle.*
- CVC. (2018). *Resolución Autoescuelas Mondragón, Expediente: LEA/AVC nº 224-SAN-2017.*
- European Commission. (2017). *Study on driver training, testing and medical fitness.*
- Gershon, P., Ehsani, J., Zhu, C., Sita, K., Klauer, S., Dingus, T., & Simons-Morton, B. (2018). Crash Risk and Risky Driving Behavior Among Adolescents During Learner and Independent Driving Periods; doi: 10.1016/j.jadohealth.2018.04.012. *Journal of Adolescent Health*, Nov. 63(5), 568-574.
- Gregersen, N., Nyberg, A., & Berg, H.-Y. (2003). Accident involvement among learner drivers--an analysis of the consequences of supervised practice; doi: 10.1016/s0001-4575(02)00051-9. *Accident Analysis & Prevention* 35(5), 725-730.
- McKinsey. (2023). Europe's Gen Z and the future of mobility.
- Ministerio del Interior. (2016). Estudio y mapa de flujos de transporte de mercancías peligrosas por carretera.
- Montoro González, L., Lijarcio Cárcel, J. I., Martí-Belda Bertolín, A., Bosó Seguí, P., & León Martín-Mora, J. (2018). *Detección de necesidades y justificación de un sistema de formación teórico y práctico obligatorio para la obtención del permiso de conducir.* INTRAS (Universidad de Valencia); BORRADOR.
- Nelson, P. (1970). Information and Consumer Behavior. *Journal of Political Economy*, Vol. 78, No.2.
- OCU. (2019). Autoescuelas ¿cuánto cuesta sacarse el carné de conducir en tu ciudad?
- OECD. (2006). *Young Drivers: The Road to Safety.*
- OECD. (2021). Methodologies to Measure Market Competition. *OECD Roundtables on Competition Policy Papers, No. 253.*
- Peck, R. (2011). Do driver training programs reduce crashes and traffic violations? — A critical examination of the literature . *IATSS Research, Volume 34, Issue 2*, 63-71.
- Rodero Jiménez, L., & Rojas Montoya, C. (2013). *Crisis, natalidad, autoescuelas y... ¿futuro?*
- Seim, K., Vitorino, M. A., & Muir, D. M. (2013). Drip Pricing When Consumers Have Limited Foresight: Evidence from Driving School Fees. *Disponibile*

en: <https://ssrn.com/abstract=2220986> or
<http://dx.doi.org/10.2139/ssrn.2220986>.

Senserrick, T., & Williams, A. (2015). Summary of Literature of the Effective Components of Graduated Driver Licensing Systems.

TDC. (1999). *Resolución del expediente 461/99, Autoescuelas Alcalá.*

TDC. (1999). *Resolución del expediente 462/99, Autoescuelas Tenerife.*

TDC. (2004). *Resolución del expediente 582/04, Autoescuelas Extremadura.*