



Amigos de la Gente de Edad

Driving licence penalty points system

The Dirección General de Tráfico introduced a new drivers' licence point system that became effective on 1 July 2006.

To summarise - every driver, with certain exceptions such as holders of licences for less than three years, will **start out 12 points**. For each infraction of the law, points will be deducted. **As long as points remain, the licence is valid. When, or if, a driver has lost all of his points, he/she may not legally drive.**

He/she may revalidate his/her licence after six months if he/she takes a revision course, but even then he/she will **receive only eight new points**. There are other conditions in connection with this which will be dealt with below.

Fines will also be levied, some of them very high. In addition, for infractions considered serious a licence may be suspended for three months; those that are very serious may result in a licence being permanently withdrawn.

Some 22,000,000 drivers in Spain will be affected by the regulations. The authorities say that in future only good drivers will be on the road; so driving will be safer for everyone. See details below:

TWO POINT PENALTY

- Parking on a bend, slope, in a tunnel, in an underground pass, on an intersection or any other dangerous area that would be a risk to other vehicles or pedestrians.
- Parking in lane marked for public transport.
- Using radar detector to avoid police traffic control.
- Driving without lights when they are necessary and using them in an unlawful manner.
- Driving with under 12-year-old children as passengers on motorbikes or mopeds.

THREE POINT PENALTY

- Driving without seatbelt, crash helmet or any other obligatory safety feature.
- Carrying out a U-turn where not permitted.
- Driving whilst using a mobile phone, helmet, earphones or any other article that could cause distractions.
- Not respecting the correct distance from the proceeding vehicle.

FOUR POINT PENALTY

- Driving on a dual carriageway or a motorway in a vehicle that is a prohibited type.
- Exceeding the legally permitted number of passengers for a vehicle by 50% (excluding the driver) - buses have special rules.
- Driving a vehicle without a valid permit / licence.
- Throwing out of the vehicle any object that could produce fire or accident.
- Driving in a dangerous manner and creating a risk to others.
- Exceeding the speed limit by more than 40km/h, always assuming that that does not mean exceeding the limit by 50%.

Note:

Three point penalty - exceeding the speed limit by 30km/h to 40km/h

Two point penalty - exceeding the speed limit by 20km/h to 30km/h

- Not respecting right of way, passing through a red light or not stopping at a STOP sign.
- Not following the correct procedure for overtaking, making it dangerous for other vehicles, or overtaking in areas of reduced visibility.
- Overtaking in a manner dangerous to cyclists.
- Reversing on a motorway or highway.
- Ignoring the instructions of police.
- Whilst another vehicle is overtaking, increasing speed or carrying out any manoeuvre that could create a danger or difficulty for that vehicle.

SIX POINT PENALTY

- Driving with an alcohol reading of more than 0.50 mg/l in exhaled air (occupational or new drivers more than 0.30 mg/l).

Note:

Four point penalty - if the reading is over 0.25 mg/l and up to 0.50 mg/l (occupational and new drivers over 0.15 mg/l and up to 0.30 mg/l)

- Driving under the effects of narcotics, psychotropic (drugs that affect mood, e.g., antidepressants, sedatives, tranquillizers, etc.), stimulants or other similar substances.

- Driving dangerously, driving on the wrong side of the road, in the wrong direction or driving in unauthorized races or competitions.
- Refusing to participate in alcohol or drug tests
- Exceeding the maximum speed limit by more than 50%, always assuming that the speed is at least 30km/h above the limit.
- For commercial vehicle or other paid drivers (e.g., lorry drivers, chauffeurs, etc.), exceeding by 50% the maximum number of hours permitted behind the wheel, or reducing by more than 50% the obligatory number of resting hours.

WHAT HAPPENS WHEN YOU LOSE ALL YOUR POINTS?

You lose your driving licence. After six months from the date of losing it, you can obtain a new one after passing a revision course and a theory test at the *Jefatura de Trafico*, where you will be awarded a credit of eight points. If in two years you do not lose any more points, you will be **given back the original 12 points**. If the loss of points was for a serious traffic offense (six points), you should wait three years to regain the initial figure. On the other hand, committing serious or very serious offenses could mean the permanent suspension of your driving licence, regardless of the number of points you may have.

HOW MUCH TIME DOES IT TAKE TO REVALIDATE YOUR DRIVING LICENCE?

Occupational drivers: three months for the first occasion and six months the second occasion.

Non-occupational drivers: six months for the first occasion and 12 months for the second occasion.

Subsequently, you will have to pass an revision course that will be carried out in an authorized centre.

HOW TO REGAIN LOST POINTS OR YOUR DRIVING LICENCE

In both cases shown above, it is necessary to pass a course in one of the authorized centres. The cost of the course will be paid for by the person concerned and will be given by specialized personnel.

Partial regaining of licence: The revision course is of 12 hours' duration and can be taken once every two years, except in the case of occupational drivers who can take it annually. The cost is currently 170 euros.

Regaining of the driving licence when all points have been lost: A course lasting 24 hours at a current cost of 320 euros and a test that has to be passed at the *Jefatura de Trafico*.

The course includes the following subjects based on a general updating of the rules and Highway Code, with emphasis on group debates and discussions; directed personally to each driver.

ARE THE POINTS LOST AT THE TIME THAT THE TRAFFIC OFFENCE OCCURS?

No. The points are lost when the fine is confirmed.

The fine is confirmed:

- If you do not make an appeal one month from receipt of the official notification
- If you have contested the fine, at the time you receive official notification of the decision that your appeal has been rejected

SPECIAL MEASURES FOR OCCUPATIONAL DRIVERS

Provision exists for occupational drivers who have the necessary legal permit to drive vehicles for the transportation of persons or merchandise. In general, the law establishes a series of advantages for these drivers, especially concerning the reduction by one half of the revalidation periods mentioned for non-occupational drivers.

NOTE:

- A DANGEROUS BEND sign should be heeded and the bend should be approached with caution.
- The laws pertaining to a GIVE WAY sign have not changed.
- Drinking and driving will always be incompatible.
- These cautionary measures will not present difficulties for a good driver.

The points system will affect those who do not respect the Highway Code. As from 1 July 2006, certain traffic offences will mean, apart from monetary fines and the suspension of your driving license, the loss of points up to the total loss of the license.

The merit of the points system has been proven in France, Italy and Germany. Good drivers make safer roads and everyone should be more aware of his/her responsibilities. In Spain it is hoped to do better. You should be able to drive with greater peace of mind.

WHO DOES THIS LAW AFFECT?

This new law is for everyone with a driving licence, regardless of what type of licence they hold and when or where it was obtained.

HOW MANY POINTS DOES A DRIVER HAVE?

If you have more than three years' experience - 12 points

If you are a new driver (less than three years' experience) - eight points

GOOD DRIVERS

If a driver has a clean record for over three years, he/she receives **two bonus points**; and after another three years with a clean record a further point, **i.e., a maximum of 15 points**.

CHECKING YOUR POINT STATUS

How can you know how many points you have?

As from 1 July 2006, you will be able to consult the website www.dgt.es to find out how many points you have.

What happens if you lose a point?

You can choose to regain some of the points (up to a maximum of four points) by taking part in a revision course, which can only be taken once every two years.

If you speak Spanish, more information is available at:

- www.permisoporpuntos.es
- Dirección General de Tráfico in your area
- your local automobile association or other authority
- by telephoning: 902 200677

FURTHER INFORMATION FROM THE PRESS:

Although there is not official confirmation at the time of compiling this Factsheet, it has been reported (in the Press) that as from October 2006, the following traffic offenses will also be **criminal offenses**:

- Exceeding 190km/h on the motorway and 90km/h in urban areas.
- Exceeding 1.2g/l of alcohol in the blood.

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