

Request for a preliminary ruling from the Amtsgericht Kehl (Germany) lodged on 7 April 2016 — I.**(Case C-195/16)**

(2016/C 260/22)

*Language of the case: German***Referring court**

Amtsgericht Kehl

Parties to the main proceedings

Applicant: I.

Questions referred

1. Is EU law, in particular Article 2 of Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences ('Directive 2006/126/EC' ⁽¹⁾) or Articles 18, 21, 45, 49 and 56 TFEU, to be interpreted as precluding legislation of a Member State which refuses to recognise an authorisation to drive (*Fahrerlaubnis*) acquired in another Member State, in particular where that authorisation to drive was acquired in accordance with the requirements of Directive 2006/126/EC?
2. Is EU law, in particular Article 2 of Directive 2006/126/EC or Articles 18, 21, 45, 49 and 56 TFEU, to be interpreted as precluding legislation of a Member State which refuses to recognise a document evidencing authorisation to drive which another Member State has issued to the holder of such authorisation in accordance with Directive 2006/126/EC, even if that Member State has limited the validity of that authorisation in time and to its own territory and that document does not, moreover, fulfil the requirements of the single European driving licence model of Directive 2006/126/EC?
3. Should the answer to the first question be in the negative: Is EU law, in particular Article 2 of Directive 2006/126/EC or Articles 18, 21, 45, 49 and 56 TFEU, to be interpreted as precluding legislation of a Member State which threatens to prosecute as a criminal offence the driving of a vehicle without a right to drive, even if the driver of the vehicle has been authorised to drive in another Member State in accordance with the requirements of that directive, but is unable to provide a document to that effect which corresponds to the single European licence model of Directive 2006/126/EC?
4. Should the answer to the second question be in the negative: Is EU law, in particular Article 2 of Directive 2006/126/EC or Articles 18, 21, 45, 49 and 56 TFEU, to be interpreted as precluding legislation of a Member State — in which an applicant for a driving licence is, as a general rule, issued a definitive driving licence directly after passing the practical driving test — under which prosecution as a minor offence is threatened for driving a vehicle if the driver, who has been licensed to drive in another Member State in accordance with the requirements of Directive 2006/126/EC, drives without a definitive driving licence as evidence of his authorisation to drive because such a licence has not yet been issued to him, yet due to the particularities of the procedure for the issuing of the definitive driving licence in that Member State, over which the driver has no control, the driver is in possession of an official document certifying that the necessary requirements for acquiring authorisation to drive have been fulfilled?

⁽¹⁾ OJ 2006 L 403, p. 18.