

Legal Alert – Changes to the Highway Code - Exchange of foreign driving licences for OECD and CPLP countries

On July 27th, 2022, the Highway Code was amended by Decree-Law 46/2022, of July 12th, which came into force on August 1st.

With this change, driving licences from OECD and CPLP countries will now be accepted for circulation within the national territory, even if the driver is a resident. To this end, **the following requirements must be met:**

- The issuing State is a signatory to one of the Transit Conventions (Geneva, 1949 and/or Vienna, 1968) or has entered into a bilateral agreement with the Portuguese State, regarding the recognition of driving licences;
- No more than 15 years have elapsed since the driving licence was issued or last renewed;
- the holder of the driving licence is under 60 years of age;
- The foreign driving licence is valid;
- The driver has the minimum age established in Portugal (18 years old) to drive vehicles of the category(ies) stated on their foreign driving licence; and
- The foreign driving licence is not seized, suspended, expired, or revoked by force of law, administrative decision, or judicial sentence applied to its title in Portugal or the issuing State.

If these requirements are met, drivers will be allowed to drive in Portugal with such licences, even after they have taken up residence on national territory.

Please note that this permission will only have an impact in Portugal since it is not a question of exchanging the foreign driver's licence for the Portuguese one, but rather the permission to drive in national territory.

If drivers with driving licenses from OECD and CPLP countries wish or need to exchange their driving licenses for Portuguese licenses, the requirements for issuing the respective licenses that are foreseen in the Regulation on Legal Driving Licenses must be observed, namely, physical, mental, and psychological fitness, through a medical examination, for all categories that intend to make the exchange.

The countries covered by the scheme are:

- CPLP Member States, signatories of one of the Transit Conventions - Brazil and Cape Verde;
- The CPLP member states that have signed a bilateral agreement with Portugal - Angola, Cape Verde, Mozambique, and Sao Tome e Principe;
- OECD Member States that are not members of the EU or the EEA and are signatories to the Transit Conventions - Australia, Canada, Chile, Republic of Korea, United States of America, Iceland, Israel, Japan, New Zealand, United Kingdom, Switzerland and Turkey.

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