European Disability Card and European Parking Card for persons with disabilities: extending to third country nationals legally residing in a Member State

2023/0393(COD) - 26/02/2024 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Employment and Social Affairs and the Committee on Civil Liberties, Justice and Home Affairs adopted the joint report by Antonius MANDERS (EPP, NL) and Alice KUHNKE (Greens /EFA, SE) on the proposal for a directive of the European Parliament and of the Council extending Directive [XXXX] to third country nationals legally residing in a Member State.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

The amended text stipulated that Member States should ensure that the rules, rights and obligations laid down in the future European Parliament and Council Directive establishing the European Disability Card and the European Parking Card for persons with disabilities apply to third country nationals not falling within the scope of that Directive whose disability status and/or rights to parking conditions and facilities reserved for persons with disabilities, have been recognised by the Member State of their residence, as well as to **any persons accompanying or assisting them**, including their personal assistants, **regardless of their nationality**, as well as to those making use of **assistance animals** such as guide dogs or assistance dogs.

Improved accessibility

Members included a new article stipulating that Member States should make the conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities who are third country nationals legally residing in their territory publicly available and in accessible formats, including in digital and easy-to-read formats, and upon request, in assistive formats requested by them, and in a language that they can understand.

Moreover, the European Disability Card should be issued or renewed by the Member State of residence directly or upon application by the person with disabilities or by an authorised person, under national law. Persons with disabilities should be informed in a language that they can understand about the possibility to apply for the European Disability Card when it is not issued directly.

Cost

The card should be issued and renewed free of charge to the beneficiary, within the same period for issuing disability certificates, disability cards or any other formal document or procedure recognising the disability status or entitlement to specific services based on a disability. Member States may decide to charge a fee for the costs relating to the reissuance of the card in cases of loss or damage. In case of a fee, Member States should ensure that the fee does not exceed the administrative costs concerned or discourage persons with disabilities from requesting the card again.

Reporting

A report should be carried out by the Commission addressing the use of the European Disability Card and European Parking Card for persons with disabilities, in particular the impact of any fees where relevant. It should also include an analysis of specific situations of disadvantage resulting from intersectional discrimination, which is understood as discrimination based on a combination of disability, as well as other grounds with a particular focus on women and girls with disabilities.