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SPECIFIC REGULATORY REQUIREMENTS FOR THE DRIVING OF POWERFUL VEHICLES

**Belgium, Denmark, France, Germany, Italy, The Netherlands,
Norway, South Australia, Spain, Sweden,
The United Kingdom**

Update of Avis 23-094-E: 30.10.2025

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ABSTRACT

This study examines specific regulatory requirements governing the driving of powerful vehicles. It is an update of a previous study finalized in 2023, which examined the legal situation in Belgium, Denmark, France, Germany, Italy, the Netherlands, Norway, South Australia, Spain, Sweden, and the United Kingdom.

Among these jurisdictions, only South Australia lays down specific driving licence requirements for operating powerful vehicles. This is regulated through the introduction of a distinct licence class category – the U class – required for driving so-called ultra high-powered vehicles (UHPVs). The amendments were accompanied by criminal provisions prohibiting UHPV drivers from disabling their automated intervention systems.

Although no similar regulation exists in the other jurisdictions examined, it should be noted that the Italian *neopatentati* rules prohibit newly licensed drivers (first three years) from operating high-powered cars. Similar to the South Australian regulation, the power limits are determined based on the vehicle's power-to-weight ratio.

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I. SUMMARY OCTOBER 2025

Introduction

On 27 August, 2025, the Bundesamt für Strassen (ASTRA) asked the SICL to update a comparative study commissioned by ASTRA in 2023 (Avis 25-092-E). The original study (see Annex) examined the development of regulations laying down specific requirements (such as specific training or driving license) for the driving of powerful cars and motorcycles. The SICL has thus conducted further research to determine whether there have been any relevant legal developments, legislative proposals or initiatives since the finalisation of the 28 September 2023 study.

The countries examined in this update are the same as in the original study, with the exception of Belgium and the Netherlands, for which only preliminary research has been conducted.

According to our research, there are **still no examples of national regulation laying down specific driving licence requirements for driving high-powered vehicles** like the one adopted in the State of South Australia.¹

The Italian neopatentati legislation

While Italian law does not have specific driving licence requirements for driving high-powered vehicles, **newly licensed drivers are prohibited from driving high-powered cars**.

The rules apply to so-called “*neopatentati*”, or new drivers. The term refers to individuals during the **first three years after obtaining their driving licence**. These rules include limitations based on certain power-to-weight ratio for cars. Laid down principally in Article 117 of the Italian Traffic Code (*Nuovo codice della strada*), the rules were substantially amended in 2024.²

Effective on 14 December 2024, Article 117 provides that for the first three years after obtaining the driving licence, a person is not permitted to drive standard cars with a **power-to-weight ratio exceeding 75 kW/tonne**. For larger cars (the so called M1 class that can have up to nine seats), **hybrid or electric cars the maximum total power permitted is 105kW**.³ Violation of this obligation is **sanctioned with an administrative fine of between €165 and €660**.⁴

Article 117 of the Italian Traffic Code also lays down specific speed limit requirements applicable to *nepatentati* drivers. The maximum speed limit is 100 km/h on motorways and 90 km/hours on non-urban roads (*strade extraurbane principali*).⁵

¹ It should be noted that this seems to be true also for Belgium and the Netherlands (according to our preliminary research primarily drawing on sources in English). The regulation in South Australia is discussed in the original study, which is annexed to this study.

² Amended by *LEGGE 25 novembre 2024, n. 177* to the *DECRETO LEGISLATIVO 30 aprile 1992, n. 285 Nuovo codice della strada*. Requirements for new drivers ('*neopatentati*') existed before the 2024 reform (both on power to weight ratio and speed limits) but was limited to a one-year period. See for instance <https://www.locatelligroup.eu/auto-per-neopatentati-i-nuovi-limiti-previsti-dal-codice-della-strada/> (09.10.2025).

³ *DECRETO LEGISLATIVO 30 aprile 1992, n. 285 Nuovo codice della strada, Article 117(2-bis)*.

⁴ *Ibid, Article 117(5)*.

⁵ *Ibid, Article 117(2)*.

French 2025 legislative bill limiting the use of high-powered vehicles by inexperienced drivers

A **legislative proposal** that seems to be inspired by the Italian *neopatentati* rules was proposed by a French senator on 11 February 2025. The bill is aimed at regulating the use of high-powered vehicles by inexperienced drivers.⁶

The proposed legislation would **prohibit the sale, transfer, rental, or provision of “high-powered” cars to drivers holding a probationary licence**. This includes both young drivers newly licensed and older drivers who have had to retake their test following a licence cancellation. Violations of this provision of the Highway Code would be **punishable under Article 131-13 of the Penal Code with a fine of maximum €1,500, or up to €3,000 in the case of repeat offences**.

The bill is motivated by road safety considerations and was initiated with references to an incident where a young woman was hit and killed by a car driven by a 19-year-old man.⁷

The bill is **currently under review by the Senate Law Commission**. We have no information whether or not the bill is expected to be adopted.

⁶ The bill N° 325 *Proposition de loi visant à encadrer l'utilisation de véhicules surpuissants par des conducteurs inexpérimentés* is available at <https://www.senat.fr/leg/ppl24-325.html> (30.09.2025).

⁷ See <https://france3-regions.franceinfo.fr/hauts-de-france/nord-0/lille/faut-il-interdire-les-vehicules-surpuissants-aux-conducteurs-inexperimentes-tout-savoir-sur-cette-proposition-de-loi-3109348.html> (30.09.2025).

II. COMPARATIVE OVERVIEW OCTOBER 2025

The comparative table below provide an overview of the findings for different jurisdictions.

	Are there any specific driving licence requirements or similar regulation applicable to powerful vehicles (cars or motorcycles)?	In the absence of any regulation, are there any legislative proposals or initiatives for the introduction of such regulation? ⁸
Belgium ⁹	No	No
Denmark	No	No
France	No	YES (limiting the use of high-powered vehicles by inexperienced drivers)
Germany	No	No
Italy	No (however, limitation to drive high-powered cars for first three years after obtaining the driving license)	No
The Netherlands ¹⁰	No	No
Norway	No	No
South Australia ¹¹	Yes - South Australia State's Motor Vehicle Regulations 2010.	N/A
Spain	No	No
Sweden	No	No
The United Kingdom	No	No

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⁸ It should be noted that this finding is based on preliminary research consisting of a search of online media outlets and in legal databases.

⁹ The findings are based on preliminary research primarily drawing on sources in English.

¹⁰ The findings are based on preliminary research primarily drawing on sources in English.

¹¹ South Australia is a state in Australia. There is no similar regulation in other Australian states or at the federal level.



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ANNEX Avis 23-094-E

LEGAL OPINION ON THE REGULATION OF SPECIFIC REQUIREMENTS FOR THE DRIVING OF POWERFUL VEHICLES

Avis 23-094-E

Lausanne, 28 September 2023

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I. SUMMARY

Technological development in the automobile industry, in particular the development of electric vehicles, has resulted in an ever-increasing number of powerful cars on the roads. There is a possibility that this development poses a risk to road safety, specifically when such vehicles are driven by unexperienced or inattentive drivers.

The dangers were highlighted in the state of South Australia, where new rules will come into effect in 2024. This, however, seems to be an isolated legal development. Having examined ten European jurisdictions - Denmark, Belgium, France, Germany, Italy, the Netherlands, Norway, Spain, Sweden and the UK - we conclude that there are no additional requirements for driving a powerful car or motorcycle in those countries beyond general driving licence requirements. A summary search indicates that the same seems to be true for other European countries.¹² In addition, there seems to be no discussion on the need to introduce supplemental regulation to address potential threats from powerful engines.

The South Australian State regulation on ultra high-powered vehicles

The only known regulation laying down specific obligations for powerful vehicles can be found in the state of South Australia.¹³ Motivated by road safety, the new rules were introduced by an amendment to the South Australia State's Motor Vehicle Regulations 2010 and are effective as of 1 December 2024.¹⁴ Amendments to the Motor Vehicle Regulations 2010 create a **new driving licence class category – the U class** – which will be required for driving a so-called **ultra high-powered vehicle (UHPV)**. To obtain this licence, the person must have held a regular driving licence for at least three years and complete an online training course.¹⁵ According to the South Australian Department of Transportation, the training course will ensure that a person is aware of the risks associated with driving an UHPV and the use of common vehicle features within Advanced Driver Assistance Systems.¹⁶

The amendments apply to **UHPVs**, defined as cars having a **power-to-weight ratio of at least 276kW per tonne**, with a gross vehicle mass of less than 4.5 tonnes.¹⁷ Currently about 200 car models fall into that category. One example is the Lamborghini Huracan supercar (quotes a power-to-weight ratio of 292kW per tonne), while a regular powerful car such as a BMW M3 (performance sedan quotes 222kW

¹² It should be noted that this finding is based on preliminary research consisting of a search of online media outlets and using general google searches. In addition, it should be noted that the European Union has adopted various regulations effectively harmonising the Member States' rules on classification of vehicles and laying down minimum driving licence requirements. For information and access to these legal instruments, including proposals for amendments of the current rules, see https://transport.ec.europa.eu/news-events/news/european-commission-proposes-updated-requirements-driving-licences-and-better-cross-border-2023-03-01_en and <https://alternative-fuels-observatory.ec.europa.eu/general-information/vehicle-types> (19.09.2023).

¹³ It should be noted that there is no similar regulation in other states or at the federal level in Australia.

¹⁴ The Regulations are available at:

<https://www.legislation.sa.gov.au/lz?path=%2FC%2FR%2FMotor%20Vehicles%20Regulations%202010> (1.9.2023).

¹⁵ Motor Vehicle Regulations 2010 Classification of driver's licences—Schedule 2.

¹⁶ See <https://www.drive.com.au/news/south-australia-announces-licence-for-ultra-high-powered-vehicles/> (1.9.2023).

¹⁷ Motor Vehicle Regulations 2010 Part 1 – 3 Interpretation.

per tonne) does not fall within this category.¹⁸ It should be noted that the rules do not apply to motorcycles and buses.¹⁹

In addition to the rules on UPHV discussed above, South Australia has introduced a **new criminal offence** in the Criminal Law Consolidation Act 1935.²⁰ **This new provision criminalizes (with certain exceptions) drivers of UPHVs who disable their automated intervention systems** (such as anti-lock braking, automated emergency braking, electronic stability control or traction control).²¹ The penalty for the offence is a fine of 5,000 AUD (approximately 3,000 EUR). Moreover, a driver disabling such automated systems and which, as a consequence, **results in death or serious harm of another person can be punished with up to 7 years of imprisonment**.²² The punishment is significantly stricter than previously due to the fact that the new legislation includes the introduction of a new mid-tier indictable offence of causing death or serious harm by careless use of a vehicle or vessel. Different to the offence of *dangerous driving* causing death or serious harm (punishable with 15 years' imprisonment or life imprisonment for aggravated offence), the new offence - causing death or serious harm by careless use of a vehicle or vessel - applies to driving that does not meet the threshold of 'dangerous driving'. Prior to the adoption of the new offense, driving causing death or harm that did not qualify as "dangerous driving" could only be punished with up to 12 months imprisonment.²³

¹⁸ <https://www.drive.com.au/news/south-australia-announces-licence-for-ultra-high-powered-vehicles/> (19.09.2023).

¹⁹ Motor Vehicle Regulations 2010 Part 1 – 3 Interpretation.

²⁰ The Act is available at:

<https://www.legislation.sa.gov.au/lz?path=%2FC%2FA%2FCRIMINAL%20LAW%20CONSOLIDATION%20ACT%201935> (19.09.2023).

²¹ The Government of South Australia commentary to all amendments in relation to UHPVs and enhanced road safety can be accessed at <https://www.premier.sa.gov.au/media-releases/news-items/landmark-reforms-to-make-sa-roads-safer> (01.09.2023).

²² See the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill Second Reading, available at <https://hansardsearch.parliament.sa.gov.au/daily/lh/2023-06-15/5?sid=0b558c717f7242e39f> (01.09.2023).

²³ Ibid.

II. FACTS & QUESTIONS

On July 24, 2023, the Bundesamt für Strassen (ASTRA) asked the Swiss Institute of Comparative Law (SICL) to conduct a comparative study on the development of regulations laying down specific requirements (such as specific training or driving license) for the driving of powerful cars and motorcycles. The reason for the inquiry is that the increasing number of powerful cars (in particular powerful electric cars) poses a potential risk to road safety.²⁴

The SICL has focused its research on European jurisdictions. However, given the absence of regulations and policy discussion in Europe, the SICL has also researched beyond European jurisdictions. The result of the research is presented in this summary report. The SICL had at its disposal 20 hours for the research and writing of the report.

²⁴ The exact questions referred by ASTRA are :

- a. *Quels pays, principalement en Europe, ont pris ou discutés quelles mesures jusqu'à aujourd'hui concernant la formation à la conduite pour véhicules puissantes (voitures automobiles et motocycles) et quelles bases légales disposent-ils à ce sujet ?*
- b. *S'il existe des pays qui sont en train d'adapter leur ordre juridique ou qui prévoient de le faire dans les prochaines années, quelles bases légales prévoient-ils adapter ?*

III. COMPARATIVE OVERVIEW

The comparative tables below provide an overview of the findings for different jurisdictions.

	Are there any specific driving licence requirements or similar regulation applicable to powerful vehicles (cars or motorcycles)?	In the absence of any regulation, are there any legislative proposals or initiatives for the introduction of such regulation? ²⁵
Belgium	No	No
Denmark	No	No
France	No	No
Germany	No	No
Italy	No	No
The Netherlands		
Norway	No	No
South Australia ²⁶	Yes - South Australia State's Motor Vehicle Regulations 2010.	N/A
Spain		
Sweden	No	No
The United Kingdom	No	No

While the initial findings reveal that no jurisdictions except the State of South Australia have or are even discussing stricter regulation of vehicles with powerful motors, the result is not surprising. The South Australian initiative for specific regulation of UPHV and the introduction of more severe punishment for careless driving resulting in injury or death of another person was taken following an incident in 2019 in which a 15-year-old girl, Sophia Naismith, was hit and killed by a person driving a Lamborghini Huracan.²⁷ Referring to this incident, the political majority considered that the reform was necessary, arguing that the laws did not sufficiently cater for the range of circumstances that can lead to the loss of life caused by driving.²⁸ The reform was strongly supported by the Commissioner for Victims' Rights, the Naismith family and other families having suffered a similar loss.²⁹ It appears thus as if the reform was very much a response to the death of Sophia. Perhaps the specific context is one reason for that similar legislation has not been enacted in other jurisdictions.

²⁵ It should be noted that this finding is based on preliminary research consisting of a search of online media outlets and in legal databases.

²⁶ South Australia is a state in Australia. There is no similar regulation in other states or at the federal level.

²⁷ See the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill Second Reading, available at <https://hansardsearch.parliament.sa.gov.au/daily/lh/2023-06-15/5?sid=0b558c717f7242e39f> (01.09.2023).

²⁸ Ibid.

²⁹ Ibid.

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