Road transport: maximum authorised dimensions and weights for certain road vehicles

2013/0105(COD) - 12/01/2015 - Commission communication on Council's position

The Commission considered that the Council position supports the main objectives of the Commission proposal of enabling the design of greener and safer trucks, while deviating on some other aspects, in particular:

- **considerable timeframes** are proposed both for the transposition of the new Directive (3 years) and for the implementation of the provisions of its Article 9 on the design of new cabs (5 years after the necessary modification of Directive 2007/46, including its implementing acts), in order to accommodate the capacity of investment of some vehicle manufacturers. In the Commission proposal, a transposition period of 18 months was provided for;
- **the enforcement pillar** proposed by the Commission to sanction infringements of overweight, has largely been rejected by the Council which deleted Article 13 on categorisation of infringements and watered down Article 12 on enforcement. The Council however agreed that Member States have to report to the Commission on the number of checks and infringements;
- **implementing powers of the Commission** (comitology), the Council invokes Article 5, paragraph 4, second subparagraph, point (b) of Regulation 182/2011 ("no opinion-clause"). The Commission made a statement recalling that recourse to this provision must not be made systematically but must be interpreted in a restrictive manner and thus must be justified.

On the other hand, the Commission welcomes the following points:

- **measures on aerodynamic features** have kept the drafting proposed by the Commission in terms of both objective and content. Despite the fact that the Council replaces the proposed delegated acts by implementing acts, the Commission can agree to this approach;
- the introduction of **joint liability** between shipper and haulier for the transport of containers;
- the adoption of a **new definition of the intermodal transport operation** which appropriately addresses the specificity of waterborne transport;
- the fact that the Council has increased to **19.5 tonnes** the weight allowed for 2-axle buses (500 kg more than the weight set forward in the Commission proposal).

With regard to **cross-border traffic of longer vehicles**, the Commission takes note of the diverging opinions between Member States, and of the decision of the Council not to modify the text of the current Directive.

For these reasons, the Commission considers that it would be contrary to the interests of the Union citizens to wait for a number of years before manufacturers introduce the new designs, which are, to a large extent, ready for deployment. The Commission is of the view that those issues deserve to be addressed during the negotiations between the co-legislators.