








Basic information	
<b>1998/0096(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure lapsed or withdrawn
International road transport: driving restrictions on heavygoods vehicles on designated roads, weekend bans  <b>Subject</b>  3.20.05 Road transport: passengers and freight 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence	

Key players			
Council of the European Union	Council configuration	Meetings	Date
	Transport, Telecommunications and Energy	2589	2004-06-10
	Transport, Telecommunications and Energy	2204	1999-10-06
	Transport, Telecommunications and Energy	2324	2000-12-20
European Commission	Commission DG	Commissioner	
	Energy and Transport		

Key events			
Date	Event	Reference	Summary
11/03/1998	Legislative proposal published	COM(1998)0115 	<a href="#">Summary</a>
19/06/1998	Committee referral announced in Parliament, 1st reading		
23/07/1999	Additional information		<a href="#">Summary</a>
06/10/1999	Debate in Council		
22/11/2000	Modified legislative proposal published	COM(2000)0759 	<a href="#">Summary</a>
20/12/2000	Debate in Council		
22/05/2002	Vote in committee, 1st reading		<a href="#">Summary</a>
22/05/2002	Committee report tabled for plenary, 1st reading	A5-0191/2002	
01/07/2002	Debate in Parliament		
02/07/2002	Decision by Parliament, 1st reading	T5-0343/2002	<a href="#">Summary</a>
01/08/2003	Modified legislative proposal published	COM(2003)0473 	<a href="#">Summary</a>

10/06/2004	Debate in Council		<a href="#">Summary</a>
17/03/2006	Additional information		<a href="#">Summary</a>

Technical information	
Procedure reference	1998/0096(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 071-p1
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	RETT/4/10006

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0191/2002</a>	22/05/2002	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0343/2002</a> OJ C 271 12.11.2003, p. 0030-0155 E	02/07/2002	<a href="#">Summary</a>
<b>European Commission</b>				
Document type		Reference	Date	Summary
Legislative proposal		COM(1998)0115  OJ C 198 24.06.1998, p. 0017	11/03/1998	<a href="#">Summary</a>
Modified legislative proposal		COM(2000)0759  OJ C 120 24.04.2001, p. 0003 E	22/11/2000	<a href="#">Summary</a>
Modified legislative proposal		COM(2003)0473 	01/08/2003	<a href="#">Summary</a>
<b>Other institutions and bodies</b>				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1135/1998 OJ C 407 28.12.1998, p. 0109	09/09/1998	
CofR	Committee of the Regions: opinion	CDR0333/1999 OJ C 374 23.12.1999, p. 0085	15/09/1999	

## Additional information

Source	Document	Date
European Commission	EUR-Lex	

## International road transport: driving restrictions on heavygoods vehicles on designated roads, weekend bans

1998/0096(COD) - 02/07/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by its rapporteur Gilles SAVARY (PES, France) and made some amendments to the proposal on heavy goods vehicles involved in international transport. On the question of driving bans, Parliament felt that the existence of bans that differ from Member State to Member State is a cause of legal uncertainty in relation to the principle of the free movement of goods and Community provisions on guaranteeing freedom to provide transport services. The forthcoming enlargement and the resulting likely increase in heavy goods vehicle traffic can only make the situation more complicated. It also felt that comparative statistics are needed on the level of use of international routes to give an overall picture of traffic in the European Union and the applicant countries. On the basis of these statistics, it will be possible to assess the impact of driving restrictions on policies for the regulation of road transport. Parliament went on to insert an amendment stating that the Commission must prepare a list of infringements of the Directive in each of the Member States, and of the penalties applied by them. Finally, the date for transposition should be 31 December 2004, and the date of application of the Directive should be 1 July 2005.

## International road transport: driving restrictions on heavygoods vehicles on designated roads, weekend bans

1998/0096(COD) - 11/03/1998 - Legislative proposal

PURPOSE: To harmonise restriction on the use of heavy goods vehicles on Sundays and public holidays.

PROPOSED ACT: Council Directive.

CONTENT: This proposal has been drafted to harmonise restrictions on the use of heavy goods vehicles on Sundays and public holidays. Currently, there are no harmonised rules on driving restriction for heavy goods vehicles, resulting in a situation whereby operators have to take account of differing driving restrictions relating to hours on the road and varying definitions of vehicles exempted from those restrictions. As a result of the excessive interruptions heavy goods vehicles do not make round trips over long distances. The peripheral regions of the Community are highly and disproportionately affected by such driving restrictions.

To summarise, the proposed Directive seeks to establish a transparent system of harmonised rules concerning driving restrictions and applies only to heavy goods vehicles undertaking international journeys. Significantly, the Directive will only apply to certain Community roads and not to national roads. The roads to which the Directive applies are those listed as priority Community roads (TEN-R) under the trans-European transport network and listed in Annex 1 of the Council and European Parliament Decision 1692/96 on Community guidelines for the trans-European network, referred to as "trunk roads". Specifically speaking, the following provisions constitute the core elements of the proposed Directive:

- Driving restrictions on heavy goods vehicles, which are stricter than those imposed on national transport, may not be imposed on heavy goods vehicles conducting international transport.
- Driving restrictions may be imposed on all heavy good vehicles on Sundays and public holidays between 7.00 and 22.00 in the winter, with longer hours being proposed for the spring/summer months.
- Night time restrictions may be imposed on heavy goods vehicles which do not comply with Community noise emission standards.
- Restrictions may be imposed on heavy good vehicles driving on TEN-R routes in cases where the Member States can prove that the additional restriction can be justified on environmental, safety or social grounds. Other justifiable grounds for imposing further restrictions on trunk roads may include, for example, cases where high traffic is expected during the holiday period or for infrastructure maintenance. The Member States must inform the Commission of any restrictions and back up their case with relevant information.

## International road transport: driving restrictions on heavygoods vehicles on designated roads, weekend bans

1998/0096(COD) - 10/06/2004

Stating a blocking minority on the Presidency compromise proposal for a Directive on a transparent system of harmonised rules for restrictions on heavy goods vehicles involved in international transport designated roads, the Presidency concluded to refer the file back to Coreper for further examination.

## **International road transport: driving restrictions on heavygoods vehicles on designated roads, weekend bans**

1998/0096(COD) - 22/11/2000 - Modified legislative proposal

On 25 May 1998, the Commission submitted to the Council a proposal for a Directive on transparent system of harmonised rules for restrictions on heavy goods vehicles involved in international transport on designated roads. This proposal whilst supported by the majority of Member States has proven to be very controversial with a large minority of Member States. In the view of the Commission this controversy is partly due to the original proposal not being clearly understood. Given the degree of resistance expressed against the original proposal, both by the general public and also in the European Parliament and the Committee of Regions, and given the need to have the proposal that is clearly and unambiguously understood the Commission wishes to bring forward an amended proposal that shall be acceptable to the largest number of Member States and understandable to the overwhelming majority of EU citizens. The amended proposal firstly states more clearly that this proposal deals only with international lorry traffic on the Trans-European road Network (TEN-R). Member States will continue to have the right to set unlimited driving bans both for all road other than the TEN-R network and all national traffic. Secondly, the amended proposal shall increase the time when driving bans shall be automatically permitted on the TEN-R road network to a period of 24 hours. This period shall be extended during the summer period enabling Member States to have driving bans on the TEN-R road network commencing at 07:00 on Saturdays in summer and, if desired, lasting uninterrupted until 22:00 on Sundays; The adoption of such limits ensures that the proposal does not conflict with most existing national driving bans, whilst simultaneously stabilising the situation on driving bans in the EU thus highlighting the need for accession negotiations to examine the driving bans in potential future Member States. The amended proposal shall clearly state in an annex which national public holidays are automatically covered by driving bans. This does not, of course, put into question that it is the exclusive competence of each Member State to choose its national holidays. This annex will be revised automatically upon each notification by a Member State. The proposal shall be amended to take into account the new procedures following the adoption of the Treaty of Amsterdam. Those aspects of the proposal aiming to harmonise the types of transport that shall be exempt from driving bans remains unchanged.

## **International road transport: driving restrictions on heavygoods vehicles on designated roads, weekend bans**

1998/0096(COD) - 01/08/2003 - Modified legislative proposal

Of the 18 Amendments adopted by the European Parliament at first reading, 16 have been accepted by the Commission. The amendments: - elaborate the negative consequences of the current situation and clarify the text; - provide a further justification for the need for the Directive, namely that the legal certainty of the Community principles of free movement of goods as well as the freedom to provide transport services; - elaborate in greater detail the kind of information system, which flows from the proposed directive; - address the need for comparative statistics for the TENs network to facilitate the production of the Commission's annual report. These statistics would also enable the Commission to gain an overview of developments on the network; - acknowledge the social cost of driving bans for hauliers from peripheral Member States, without prescribing what measures should be taken; - provide a concrete acknowledgement of the difficulties which driving bans can impose on intraCommunity transport and a practical solution to what is becoming an increasing problem; - elaborate the purpose of the proposal in line with the objective to be achieved, namely provision of information to those who will be affected by driving bans; - complete and clarifies the definition. It avoids a perverse effect of some national weekend ban legislation by ensuring that trailers are not left abandoned in unsecured parking lots over the weekend while the tractor unit makes for home and returns to retrieve the trailer only after the ban is over; - define in greater detail the information system to be established and stipulates links with national systems; - clarify the meaning of "heavy goods vehicle" : this shall mean all motor vehicles with a gross weight of 7,5 t. and above, used for the transport of goods, including their component parts (tractors or trailers), where the latter are used separately; - makes clear again that the ambit of the proposal and the possible exemptions only concern the TEN-road network; - specify two special circumstances - natural disasters and urgent public safety reasons - which fall under the current category of special weather conditions; - specify the remit of a European road information system; - update the timing of the transposition and entry into force of the proposed Directive; - include the transport of perishable goods, namely fresh flowers or horticultural products within the exempted transport operations Annex. It is evident that the carriage of such produce should not be hindered by driving bans. The Commission on the other hand has rejected the amendments concerning the addition of a comment on those Member States disproportionately affected by transit traffic. This comment does not relate to the main thrust of the recital's argument and to the justification for the proposal. The Commission also cannot accept the amendment which would place a disproportionate burden on Commission resources by requiring the Commission to draw up a list of infringements to the Directive and the penalties to be applied in Member States. This could entail a considerable ongoing exercise not only for the Commission in co-ordinating a significant volume of disparate statistics, but also for MemberStates in gathering such statistics.