Basic information

2013/0105(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Road transport: maximum authorised dimensions and weights for certain road vehicles Amending Directive 96/53/EC 1993/0486(SYN) **Subject** 3.20.05 Road transport: passengers and freight 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.20.07 Combined transport, multimodal transport	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	LEICHTFRIED Jörg (S&D)	16/07/2014
	Shadow rapporteur FERBER Markus (PPE) VAN DALEN Peter (ECR) MEISSNER Gesine (ALDE) KYLLÖNEN Merja (GUE/NGL) TAYLOR Keith (Verts/ALE) LUNDGREN Peter (EFDD)	

Former committee responsible	Former rapporteur	Appointed
TRAN Transport and Tourism	LEICHTFRIED Jörg (S&D)	14/05/2013

Former committee for opinion	Former rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

	IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	3339	2014-10-16
Transport, Telecommunications and Energy	3318	2014-06-05

European Commission

Commission DG	Commissioner
Mobility and Transport	BULC Violeta

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary
15/04/2013	Legislative proposal published	COM(2013)0195	Summary
18/04/2013	Committee referral announced in Parliament, 1st reading		
18/03/2014	Vote in committee, 1st reading		
27/03/2014	Committee report tabled for plenary, 1st reading	A7-0256/2014	Summary
14/04/2014	Debate in Parliament		
15/04/2014	Decision by Parliament, 1st reading	T7-0353/2014	Summary
15/04/2014	Results of vote in Parliament		
13/10/2014	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
11/12/2014	Council position published	11296/3/2014	Summary
15/01/2015	Committee referral announced in Parliament, 2nd reading		
24/02/2015	Vote in committee, 2nd reading		
24/02/2015	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations	PE612.105 GEDA/A/(2017)009171	
02/03/2015	Committee recommendation tabled for plenary, 2nd reading	A8-0032/2015	Summary
10/03/2015	Decision by Parliament, 2nd reading	T8-0046/2015	Summary
10/03/2015	Debate in Parliament		
20/04/2015	Act approved by Council, 2nd reading		
29/04/2015	Final act signed		
29/04/2015	End of procedure in Parliament		

06/05/2015	Final act published in Official Journal		

Technical information

Procedure reference	2013/0105(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 96/53/EC 1993/0486(SYN)
Legal basis	Treaty on the Functioning of the European Union TFEU 091
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/8/00570

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE521.689	16/10/2013	
Amendments tabled in committee		PE524.694	10/12/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0256/2014	27/03/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0353/2014	15/04/2014	Summary
Text agreed during interinstitutional negotiations		PE612.105	17/12/2014	
Committee draft report		PE544.397	18/12/2014	
Amendments tabled in committee		PE546.895	04/02/2015	
Committee recommendation tabled for plenary, 2nd reading		A8-0032/2015	02/03/2015	Summary
Text adopted by Parliament, 2nd reading		T8-0046/2015	10/03/2015	Summary

Council of the EU

Document type	Reference	Date	Summary
Council statement on its position	14074/2014	10/10/2014	
Council position	11296/3/2014	11/12/2014	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2017)009171	17/12/2014	
Draft final act	00002/2015/LEX	29/04/2015	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2013)0195	15/04/2013	Summary
Document attached to the procedure	SWD(2013)0108	15/04/2013	
Document attached to the procedure	SWD(2013)0109	15/04/2013	
Commission response to text adopted in plenary	SP(2014)471	09/07/2014	
Commission communication on Council's position	COM(2015)0007	12/01/2015	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2015)0169	13/04/2015	Summary
Commission response to text adopted in plenary	SP(2015)232	14/04/2015	
Follow-up document	SWD(2023)0070	24/03/2023	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	AT_BUNDESRAT	COM(2013)0195	08/05/2013	
Contribution	ES_PARLIAMENT	COM(2013)0195	07/06/2013	
Contribution	PT_PARLIAMENT	COM(2013)0195	11/06/2013	
Contribution	DE_BUNDESRAT	COM(2013)0195	12/06/2013	
Contribution	AT_NATIONALRAT	COM(2013)0195	26/06/2013	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES4581/2013	11/07/2013	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Corrigendum to final act 32015L0719R(04)
OJ L 277 27.10.2022, p. 0314

Directive 2015/0719
OJ L 115 06.05.2015, p. 0001

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

2013/0105(COD) - 15/04/2013 - Legislative proposal

PURPOSE: to amend Directive 96/53/EC on the maximum authorised weights in road traffic vehicles, with the aim of reducing energy consumption and greenhouse gas emissions, so as to adapt the legislation to technological developments and changing market needs and to facilitate intermodal transport.

PROPOSED ACT: Directive of the European Parliament and of the Council (amendment of Council Directive 96/53/EC).

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: it has become crucial **to reduce greenhouse gas emissions and the consumption of petroleum products in the field of transport**, and even more crucial for road transport, which accounts for 82% of the energy consumption of the transport sector. Furthermore, the steady rise in the price of fuel prompts the need to identify solutions to reduce vehicle fuel consumption. In the light of the evolving market and the technologies available, the question today is whether the choices made when the Directive was adopted in 1996 are still relevant.

The White Paper on Transport Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system published in 2011 set a goal of reducing greenhouse gas emissions by 60% by 2050 in comparison with 1990 levels. In this context, the White Paper announced the revision of the 1996 Directive, with the aim of allowing more energy- efficient, aerodynamic vehicles to be put on the market.

IMPACT ASSESSMENT: the proposed measures are the result of public and sectoral consultations held in 2011 and 2012 and organized by the Commission. They were examined in an impact assessment which looked at several options in terms of economic and environmental efficiency.

The option selected combines technical harmonisation work conducted with a group of experts with a view to adopting delegated acts and a moderate regulatory approach, in order to avoid imposing disproportionate or inapplicable obligations, which would penalise small and medium-sized enterprises in particular.

LEGAL BASIS: Article 91 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the Commission proposes to amend Directive 96/53/EC **to improve the aerodynamics of vehicles and their energy efficiency, while continuing to improve road safety,** and within the limits imposed by the geometry of road infrastructures. Specifically, the proposal:

- **grants derogations from the maximum dimensions of vehicles** for the addition of aerodynamic devices to the rear of vehicles or to redefine the geometry of the cabs for tractors, improving drivers' field of vision, and improving their safety and comfort. The Commission will, with the assistance of a Committee, specify these requirements at a later stage;
- authorises a **weight increase of one tonne for vehicles with an electric or hybrid propulsion**, to take account of the weight of batteries or the dual motorisation, without prejudice to the load capacity of the vehicle. Furthermore, the maximum weight of **buses** will be increased by a tonne to take account of various developments such as the increase in the average weight of passengers and their baggage, of new equipment imposed by the safety regulations, and the new Euro VI class;
- will **facilitate the development of intermodal transport** by allowing a derogation of 15 cm in the length of trucks carrying 45-foot containers, which are increasingly used in intercontinental and European transport;
- confirms that **cross-border use of longer vehicles** is lawful for journeys that only cross one border, if the two Member States concerned already allow it and if the conditions for derogations under the Directive are met;
- adds new provisions to enable the inspection authorities to **better detect infringements and harmonise administrative penalties that apply to them**. The Commission will publish guidelines on inspection procedures to ensure harmonisation of inspection methods between all Member States. The latter must carry out a minimum number of vehicle checks, using either weighing systems built into the road or by means of onboard sensors in vehicles that communicate remotely with roadside inspectors. The Commission will define the technical standards for onboard weighing devices that can communicate with the inspection authorities.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.

In order to accelerate the introduction of vehicles that are more aerodynamic and have hybrid motorisation, the Commission will use the budgets at its disposal, in particular those allocated to trans-European networks and the EU programmes for research, development and innovation, to help industrial research, and equipping vehicle fleets.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

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

2013/0105(COD) - 15/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 606 votes to 54 with 12 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic.

Parliament's position adopted in first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Definitions: Parliament deleted the definition of 'electric vehicle' and inserted the term '**low carbon technology'**, being technology which did not fully rely on fossil oil sources in the energy supply to transport and which significantly contributed to the decarbonisation of transport. The sources included: (i) electricity, (ii) hydrogen, (iii) synthetic fuels, (iv) advanced Biofuels, (v) natural gas, including biomethane, in gaseous form (compressed natural gas – CNG) and liquefied form (liquefied natural gas – LNG), and (vi) waste heat.

Parliament specified that vehicles equipped with low-carbon technologies **should be permitted to exceed the maximum weight by up to one tonne**, depending on the weight required for the technology. However, the extra weight should not increase the load capacity of the vehicle. The principle of technological neutrality should be maintained.

Improve aerodynamic performance of vehicles: heavy-good vehicles were responsible for about 26 % of road transport CO2 emissions in Europe while their fuel efficiency had hardly improved over the last 20 years.

With the aim of improving the aerodynamic performance, Parliament stated that vehicles or combinations of vehicles equipped with devices that met the relevant criteria **may exceed** the maximum lengths provided for in point 1.1 of Annex I **by up to 500 mm.**

Amongst **the criteria** referred to above were the following:

- secure attachment of the devices in such a way as to ensure that there is no risk of their detachment;
- day and night markings in accordance with type-approval rules on the installation of lighting and light-signalling devices;
- a design which does not reduce the driver's visibility of the rear of the vehicle.

The exceedances of maximum lengths must allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and **improving road safety** for vulnerable road users and vehicles involved in rear-end collisions.

The **requirements for cabs** must allow:

- improvement of direct vision to make vulnerable road users more visible to the driver, in particular by reducing the blind spots under the front windscreen and all around the cab, and, where necessary, by fitting additional equipment, such as mirrors and camera systems;
- reduction of the damage in the event of a collision with other vehicles and improves the energy absorption performance by fitting of an energy absorbing crash management system;
- improving pedestrian protection by adjusting the frontal design to minimise the risk of overruns in case of collisions with vulnerable road users by encouraging the sideways diversion of vulnerable users.

The **requirements for the comfort and safety of drivers** to which drivers' cabs must conform were:

- compliance with the requirements set out in the Occupational Health and Safety Framework Directive 89/391/EEC, with its hierarchy of prevention measure for the elimination of sources of whole-body vibration and of musculoskeletal disorders;
- the provision of the driver's cab with safety features starting with a secure fire exit of the cab;
- the increase in size of the driver's cab to adapt to comfort and safety requirements for driver's seats and couchettes taking into account emergency situations.

Within **seven years** of the entry into force of the Directive new N2 and N3 vehicles and combination of vehicles shall use cabs that comply with the safety requirements referred to in the directive.

Facilitate intermodal transport: by 2017, the Commission shall, if appropriate, make a legislative proposal to amend Directive 92/106/EEC and, in particular, the existing definition of combined transport, in order to take into account the development of containerisation and in view of facilitating the development of efficient intermodal transport.

Infringements and checks: Member States shall ensure that the information concerning the number and severity of any infringements of the Directive that an individual undertaking had committed was introduced into the **risk rating system** established under Directive 2006/22/EC.

When identifying vehicles to be subject to checks, Members States may **select as a priority vehicles operated by undertakings with a high-risk profile**. Vehicles may also be selected randomly for checks.

Classification of infringements depending on their seriousness: the amended text stated that:

- an overload of **less than 2 %** of the maximum authorised weight shall give rise to a written warning to the transport company, which could give rise to a penalty, if the national legislation provides for this type of penalty ;
- an overload of **between 2 % and 10 %** of the maximum authorised weight shall be considered as a minor offence and shall give rise to a penalty ;
- an overload of **between 10 and 15 %** of the maximum authorised weight shall be considered a serious infringement and give rise to a penalty and the immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight,
- an overload of **more than 15 %** of the maximum authorised weight shall be considered a very serious infringement and give rise to an immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight, and to a penalty.

Report: by 2016, the Commission shall review Annex I to Directive 96/53/EC and submit a report on its implementation to the European Parliament and the Council. On the basis of this report, it shall, if appropriate, make a legislative proposal duly accompanied by an impact assessment. Following the review of the directive, the Commission shall submit a proposal by 1 January 2017, to mandate the safety requirements for all new M2 and M3 vehicles.

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

2013/0105(COD) - 29/04/2015 - Final act

PURPOSE: to improve the aerodynamics of vehicles and their energy efficiency, while continuing to improve road safety.

LEGISLATIVE ACT : Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic

CONTENT: The main objective of the Directive is to **make HGVs and buses greener and safer** by authorising weights and dimensions which exceed current limits in certain cases and under determined conditions, where improvements were not feasible with the limitations set out by the Directive 96/53/EC in its previous version.

Improve aerodynamism: the Directive makes provision for granting **derogations** on vehicle length so as to allow rear flaps to be attached to the vehicle or the front of the vehicle to be redesigned to create a more aerodynamic shape. It aims to allow the installation of such devices as soon as the necessary amendments to the technical requirements for type approval of the aerodynamic devices are transposed or applied and the Commission has adopted **implementing acts** laying down the operational rules for the use of such devices.

In the same way, in order to **improve the aerodynamic performance of cabs,** maximum lengths of lorries may be exceeded provided that their cabs deliver improved aerodynamic performance, energy efficiency and safety performance.

Aerodynamic devices exceeding 500 mm in length and motor vehicles equipped with cabs that improve their aerodynamic performance, where such vehicles exceed the limits set by Directive 96/53/EC, are to be **type approved** before being placed on the market.

Clean fuels: the Directive promotes the use of clean fuels by authorising a **weight increase of one tonne** for alternatively fuelled vehicles, to take account of the weight required for the alternative fuel technology.

Containerisation and facilitating intermodal transport operations: in the area of containerisation, 45-foot containers are increasingly being used. Such containers are transported by all modes of transport. The Directive provides for:

- an increase of **15cm** for vehicles engaged in the transport of 45-foot containers that are part of an intermodal transport operation;
- the circulation of three-axle motor vehicles with two- or three-axle semi-trailers will be allowed up to a total authorised weight of **44 tonnes**;
- two-axle motor vehicles with three-axle semi-trailers transporting containers or swap bodies of a length of up to 45 feet will be allowed in intermodal transport operations up to a total authorised weight of **42 tonnes.**

Buses: the Directive authorises **an additional tonne** for buses, in order to take account of the increase in the weight of passengers and their luggage.

Provisions regarding application: Member States should, by 27 May 2021, take specific measures to **identify vehicles** or vehicle combinations in circulation that are likely to have exceeded the relevant weight limits and that should therefore be checked. Such identification may be carried out by means of **weighing mechanisms** built into the road infrastructure, or by means of **on-board sensors** in vehicles that communicate data remotely to the relevant authorities.

Every year, each Member State should perform an appropriate number of vehicle weight checks that should be **proportionate to the total number of vehicles inspected** each year in the Member State concerned.

ENTRY INTO FORCE: 26.5.2015.

TRANSPOSITION: 7.5.2017.

DELEGATED ACTS: the Commission may adopted delegated acts in order to update the list of alternative fuels included in the Directive in light of the latest technological developments. The power to adopt such acts is conferred on the Commission for a **period of five years (which may be tacitly extended) from 26 May 2016.** The European Parliament or the Council may raise objections to a delegated act within two months of the date of notification of that act (which period may be extended for two months). If Parliament or Council raise objections, the delegated act will not enter into force.

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

2013/0105(COD) - 10/03/2015 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution on the Council position at first reading with view to the adoption of a directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic.

Parliament's position adopted at second reading of the ordinary legislative procedure amended the Council's position as follows:

Intermodal transport operation: the definition should cover:

- the combined transport operations defined in Article 1 of Council Directive 92/106/EEC engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet, or;
- transport operations engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet, using waterborne transport, provided that the length of the initial or the final road leg does not exceed 150 km in the territory of the Union.

Aerodynamic devices: improved aerodynamics of the cabs of motor vehicles would allow significant gains in respect of the energy performance of vehicles. Parliament stipulated that the aerodynamic devices shall fulfil the following **operational conditions**:

- in circumstances where the safety of other road users or of the driver is at risk, they shall be folded, retracted or removed by the driver;
- their use on urban and inter urban road infrastructures shall take into account the special characteristics of areas where the speed limit is less than or equal to 50 km/h and where vulnerable road users are more likely to be present; and
- their use shall be compatible with intermodal transport operations and, in particular, when retracted/folded, they shall not exceed the maximum authorised length by more than 20 cm.

On-board weighing equipment: this shall be accurate and reliable, fully interoperable and compatible with all vehicle types.

One year after the date of entry into force of the Directive, the Commission shall adopt implementing acts, laying down detailed provisions ensuring uniform conditions for the implementation of the rules on interoperability and compatibility.

In order to ensure compatibility with all vehicle types, on-board systems of motor vehicles shall have the capability to receive and process any data coming from any type of trailer or semi-trailer attached to the motor vehicle.

Infringements in relation to overloaded vehicles: these need to be addressed adequately by Member States in order to avoid any distortions of competition and to ensure road safety.

Review: the Commission shall review the Directive 3 years after national rules are in place, taking into consideration certain market segments. On the basis of that report, the Commission shall, if appropriate, make a legislative proposal duly accompanied by an impact assessment.

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

2013/0105(COD) - 02/03/2015 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Transport and Tourism adopted the recommendation for second reading contained in the report by Jörg LEICHTFRIED (S&D, AT), on the Council position at first reading with view to the adoption of a directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic.

The committee recommended that the European Parliament should amend the Council's position in first reading as follows:

Intermodal transport operation: the definition should cover:

the combined transport operations defined in Article 1 of Council Directive 92/106/EEC engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet, or transport operations engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet, using waterborne transport, provided that the length of the initial or the final road leg does not exceed 150 km in the territory of the Union.

Aerodynamic devices: these shall fulfil the following operational conditions:

- in circumstances where the safety of other road users or of the driver is at risk, they shall be folded, retracted or removed by the driver;
- their use on urban and inter urban road infrastructures shall take into account the special characteristics of areas where the speed limit is less than or equal to 50 km/h and where vulnerable road users are more likely to be present; and
- their use shall be compatible with intermodal transport operations and, in particular, when retracted/folded, they shall not exceed the maximum authorised length by more than 20 cm.

On-board weighing equipment: this shall be accurate and reliable, fully interoperable and compatible with all vehicle types.

One year after the date of entry into force of the Directive, the Commission shall adopt implementing acts, laying down detailed provisions ensuring uniform conditions for the implementation of the rules on interoperability and compatibility.

In order to ensure compatibility with all vehicle types, on-board systems of motor vehicles shall have the capability to receive and process any data coming from any type of trailer or semi-trailer attached to the motor vehicle.

Review: the Commission should review the Directive 3 years after national rules are in place, taking into consideration certain market segments such as car transporters. Any legislative proposal must be duly accompanied by an impact assessment.

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.

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

2013/0105(COD) - 11/12/2014 - Council position

The Council adopted its **position at first reading** on the proposed Directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic. The objective of this legislative initiative is to improve the aerodynamics of vehicles and their energy efficiency while continuing to improve road safety and remaining within the limits imposed by the geometry of road infrastructures.

The Council's approach has been to introduce several amendments to the original proposal. **The main provisions of the Directive have been significantly amended**. The Council's position at first reading, therefore, amends the original Commission proposal by redrafting it and adding and deleting several provisions of the text. This means that the Council cannot accept the amendments introduced by the European Parliament's opinion at first reading in relation to those provisions.

The key policy issues are as follows:

Clarification on the cross-border traffic of longer vehicles: although the Commission proposes to modify the Directive 96/53/EC, the Council takes the view that **Directive 96/53/EC provides the appropriate balance** between the right of Member States to explore and determine transport solutions appropriate to their local circumstances, and the need to avoid distortions to the internal market and significant impact on international competition. Council and Parliament have similar views on this issue.

Alternative fuels: in the same spirit of the Commission's proposal, the Council decided on an approach **promoting the use of alternatively fuelled vehicles**. The list of alternative fuels that can already benefit from the additional weight required for the use of alternative fuels (maximum of 1 tonne) may be updated by the Commission taking account of technological progress.

The European Parliament's approach is similar to the Council's approach on low-carbon technologies. Parliament's amendments were taken on board partially or in spirit.

Combined vs. intermodal transport: the Council shares the view that the use of **intermodal transport** as proposed in the context of the revision of Directive 96/53/EC will favour transport by short sea shipping, by inland waterways as well as by rail, compared to the use of combined transport as defined in Directive 92/106/EEC. Therefore, the Council included a definition of intermodal transport operation in the text for the purposes of this Directive.

Moreover, the text provides for a derogation of 15 cm to the maximum length and the maximum distance between the axis of the fifth wheel and the rear of a semi-trailer for vehicles transporting 45-foot containers in the context of an intermodal transport operation.

The Council did not follow the European Parliament who proposed to keep the definition of combined transport throughout the text and called upon the Commission to submit a legislative proposal to amend Directive 92/106/EEC.

Aerodynamic devices at the rear of the vehicle and new cab design: in order to improve the aerodynamics of vehicles and, consequently, save fuel, the Council's text allows for **derogations to the maximum authorised lengths for vehicles or combinations of vehicles**, if:

- the vehicle or vehicle combination is equipped with aerodynamic devices at the rear;
- the vehicle or vehicle combination is equipped with a cab that provides improved aerodynamic performance, energy efficiency and improved safety.

The Council clarifies that **aerodynamic devices** must:

- meet certain requirements to ensure safety in general and safety of intermodal transport operations;
- be used in accordance with certain operational requirements that will be adopted by the Commission (implementing acts), and must comply with the provisions of the type-approval Directive (Directive 2007/46/EC).

The Council decided to invite the Commission to **develop the necessary technical requirements for the type-approval of vehicles equipped with new cabs**, under the type-approval Directive (2007/46/EC). Before being put on the market, those vehicles must be approved in accordance with that Directive.

In the Council's text, the requirements for vehicles equipped with new cabs are **not mandatory**. The European Parliament envisages mandatory requirements seven years after the entry into force of this Directive.

The Council's position provides that vehicles equipped with aerodynamic devices or with new cabs must be able to turn within a **swept circle having an outer radius of 12.50 m and an inner radius of 5.30 m**.

Moreover, the possibility given to exceed the maximum lengths for vehicles must not lead to an increase in the load capacity of those vehicles. Parliament's amendment was taken on board in spirit.

The European Parliament maintains the delegation of power to the Commission as envisaged in the Commission's proposal. Since the Council decided on another approach, the Parliament's amendments were not taken into consideration.

Enforcement: according to the Council's position on enforcement:

- Member States must take specific measures to identify vehicles exceeding the authorised maximum weight six years from the date of entry into force of this Directive;
- checks on vehicle weight may be performed with the aid of automatic systems set up on the infrastructure or by means of onboard weighing equipment;
- Member States must not impose the installation of onboard weighing systems in vehicles registered in another Member State;
-

detailed technical specifications shall be established by implementing acts to ensure that onboard weighing systems are accurate, reliable and fully interoperable.

The Council could not follow the Commission's approach in terms of categorisation of the infringements. The text was replaced by **the obligation for Member States to lay down rules on penalties applicable to the infringements envisaged in the Directive**.

Reporting obligations: the Council streamlined the reporting obligations initially proposed by the Commission on the number of checks carried out in the previous two calendar years and the number of overloaded vehicles detected.

Transposition date: the Council provides for a transitional regime of **36 months**; the one initially envisaged by the Commission was 18 months.

Delegated acts/implementing acts: the Commission shall be empowered to adopt delegated acts to update, for the purposes of this Directive, the list of alternative fuels referred to in the Directive that require additional weight. However, the Council decided to modify the delegation of power to the Commission (replacing delegated acts with implementing acts) for rear flaps, new cabin design and establishment of the technical specifications for interoperability.

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

2013/0105(COD) - 13/04/2015 - Commission opinion on Parliament's position at 2nd reading

The Commission **accepts all the amendments** to the position adopted by the Council and voted upon by the European Parliament in second reading.

The text is the result of negotiations between the European Parliament, the Council and the Commission. Its objective is to make HGVs and buses greener and safer by authorising weights and dimensions which exceed current limits in certain cases and under determined conditions, where improvements are currently not feasible with the limitations set out by the Directive in its current version.

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

2013/0105(COD) - 27/03/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Jörg LEICHTFRIED (S&D, AT) on the proposal for a directive of the European Parliament and of the Council amending Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic.

The committee recommended that Parliament’s position in first reading following the ordinary legislative procedure should amend the Commission position as follows:

Definitions: Members deleted the definition of ‘electric vehicle’ and inserted the term ‘**low carbon technology’**, being technology which does not fully rely on fossil oil sources in the energy supply to transport and which significantly contribute to the decarbonisation of transport. The sources include: (i) electricity, (ii) hydrogen, (iii) synthetic fuels, (iv) advanced Biofuels, (v) natural gas, including biomethane, in gaseous form (compressed natural gas – CNG) and liquefied form (liquefied natural gas – LNG), and (vi) waste heat.

The report specified that vehicles equipped with low-carbon technologies **should be permitted to exceed the maximum weight by up to one tonne**, depending on the weight required for the technology. However, the extra weight should not increase the load capacity of the vehicle. The principle of technological neutrality should be maintained.

Improve aerodynamic performance of vehicles: with the aim of improving the aerodynamic performance, vehicles or combinations of vehicles equipped with devices that meet the relevant criteria may exceed the maximum lengths provided for in point 1.1 of Annex I **by up to 500 mm.**

Amongst the criteria referred to above were the following:

- secure attachment of the devices in such a way as to ensure that there is no risk of their detachment;
- day and night markings in accordance with type-approval rules on the installation of lighting and light-signalling devices;
- a design which does not reduce the driver’s visibility of the rear of the vehicle.

The exceedances of maximum lengths must allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving **road safety** for vulnerable road users and vehicles involved in rear-end collisions.

The requirements for cabs must allow:

- improvement of direct vision to make vulnerable road users more visible to the driver, in particular by reducing the blind spots under the front windscreen and all around the cab, and, where necessary, by fitting additional equipment, such as mirrors and camera systems;

- reduction of the damage in the event of a collision with other vehicles and improves the energy absorption performance by fitting of an energy absorbing crash management system;
- improving pedestrian protection by adjusting the frontal design to minimise the risk of overruns in case of collisions with vulnerable road users by encouraging the sideways diversion of vulnerable users.

The requirements for the comfort and safety of drivers to which drivers' cabs must conform were:

- compliance with the requirements set out in the Occupational Health and Safety Framework Directive 89/391/EEC, with its hierarchy of prevention measure for the elimination of sources of whole-body vibration and of musculoskeletal disorders;
- the provision of the driver's cab with safety features starting with a secure fire exit of the cab;
- the increase in size of the driver's cab to adapt to comfort and safety requirements for driver's seats and couchettes taking into account emergency situations.

Within seven years of the entry into force of the Directive new N2 and N3 vehicles and combination of vehicles shall use cabs that comply with the safety requirements referred to in the directive.

Facilitate intermodal transport: by 2017, the Commission shall, if appropriate, make a legislative proposal to amend Directive 92/106/EEC and, in particular, the existing definition of combined transport, in order to take into account the development of containerisation and in view of facilitating the development of efficient intermodal transport.

Infringements and checks: Member States shall ensure that the information concerning the number and severity of any infringements of the Directive that an individual undertaking had committed was introduced into the **risk rating system** established under Directive 2006/22/EC.

When identifying vehicles to be subject to checks, Members States may **select as a priority vehicles operated by undertakings with a high-risk profile**. Vehicles may also be selected randomly for checks.

Report: the Commission should review Annex I to Directive 96/53/EC and report on its implementation, taking into account, inter alia, impacts on international competition, modal split, costs of infrastructure adaption and the environmental and safety objectives of the European Union as set in the 2011 White Paper on Transport.