



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

21 December 2011

## **CONSULTATION PAPER REVIEW OF DIRECTIVE 96/53/EC**

### **1. CURRENT EU RULES AND REGULATIONS**

Weights and dimensions of heavy-duty vehicles operating international and national transport in the EU are ruled by Directive 96/53/EC<sup>1</sup>. This Directive aims at ensuring fair competition between hauliers, ensuring that transport operations may not be refused between two Member States on the basis of the dimensions of the vehicle used. In this sense it is a Directive which contributes to the internal market and the free movement of goods and persons. Under certain circumstances and in line with the principle of subsidiarity, the Directive also permits Member States to provide derogations from the provisions for weight and height of vehicles carrying out national transport within their own borders, and to deviate in some specific case from the provisions for length and width.

There is now a case to adapt these rules which were put together during the 1990's. The Commission announced in its White Paper on Transport presented on 28 March 2011 that urgent action needs to be taken to make road transport more resource-efficient and to further integrate the various transport modes to achieve a Single European Transport Area. In keeping with these objectives, the White Paper announced that the legislation on weight and dimension should be reviewed to adapt it to new technologies and needs, and to facilitate intermodal transport and the overall reduction of energy consumption and emissions.

This revision of the Directive will eventually have to be adopted by the European Parliament and the Council. It will be supplemented in due time by an adaptation to technical progress of the type-approval requirements on masses and dimensions for regarding heavy-duty vehicles (which defines standards to be complied with for the commercialisation of new vehicles) within the framework of Regulation 661/2009<sup>2</sup> and

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<sup>1</sup> Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic

<sup>2</sup> Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor

Directive 2007/46/EC<sup>3</sup>. The revision will also feed into the strategy to reduce CO2 emissions from heavy duty vehicles to be launched by the European Commission in the course of 2013.

## **2. SCOPE OF THE QUESTIONNAIRE**

The present questionnaire will provide input for the considered revision of Directive 96/53/EC and the impact assessment to be carried out beforehand. The questionnaire addresses issues related to the energy and CO2 performance of heavy-duty vehicles, inter-modality and innovation in transport needs, specific legal issues raised by the current directive, and improvement of compliance with the regulations through controls and enforcement.

A considerable number of studies have also been carried out on the potential of vehicles combinations (European Modular System<sup>4</sup>) to increase efficiency of road transport, whereas several Member States have performed or intend to perform trials on the use of such vehicles, or use them for national transport operations within the framework provided by Directive 96/53/EC. However the discussions and experience so far have not produced a mature position as to the long-term impact of a move towards such vehicles, notably as regards infrastructure, road safety, environment and modal split. The Commission will take stock of all relevant information on this subject, but does not intend to provide the framework for a general introduction of heavier and/or longer vehicles, or for their mandatory use by Member States.

## **3. HOW TO REPLY TO THIS CONSULTATION**

Stakeholders may reply to this consultation via the Commission's on-line interactive policy-making tool or by submitting their replies either by e-mail or mail to the addresses indicated below. Responses submitted by any of these means will be taken into consideration but stakeholders are encouraged to fill in the questionnaire on-line as it will facilitate the processing of the replies. Contributions are welcome from citizens, organisations and public authorities.

You are strongly advised to prepare your contribution in advance before filling-in the questionnaire online. We recommend you download the electronic version of the questionnaire, to allow you to draft your answers to the open text questions carefully. After preparing all your answers, please open the online questionnaire and fill it out.

Respondents may access the online version of the questionnaire through the European Commission's Interactive Policy Making website at:

<http://ec.europa.eu/yourvoice/ipm/forms/html/index.html>

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<sup>3</sup> Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)

<sup>4</sup> European Modular System (EMS) is a concept for allowing combinations of existing loading units (modules) into longer and sometime heavier vehicle combinations to be used on some parts of the road network.

A Word version of this consultation document can be downloaded from the following website:

[http://ec.europa.eu/transport/road/consultations/index\\_en.htm](http://ec.europa.eu/transport/road/consultations/index_en.htm)

Respondents can send an electronic copy of their replies to the following e-mail address:

[\*\*MOVE-D3-CONSULTATION-TRANSPORTS@ec.europa.eu\*\*](mailto:MOVE-D3-CONSULTATION-TRANSPORTS@ec.europa.eu)

and/or respondents can send a paper copy of their replies to the following postal address:

**European Commission**

**Directorate-General for Mobility and Transport**

**Unit D3 – Land transport**

**DM28 4/066**

**Rue de Mot 28**

**B – 1049 Brussels**

The contributions received from stakeholders will be published on the Commission's website, unless requested otherwise by their authors. A consent box is provided at the end of the questionnaire.

#### **4. CONSULTATION PERIOD**

Questionnaires should be returned by 27 February 2012 or preferably sooner.

#### **5. IMPORTANT NOTICE**

Please note that this document has been drafted for information and consultation purposes only. It has not been adopted or in any way approved by the European Commission and should not be regarded as representing the view of the Commission. It does not prejudice, or constitute the announcement of any position on the part of the Commission on the issues covered. The European Commission does not guarantee the accuracy of the information provided, nor does it accept responsibility for any use made thereof.

## 6. QUESTIONNAIRE

### 6.1. Information about participant

- (1) Please provide your name, surname and email address. A notification of receipt will be sent to this address. If the email address is not valid, the contribution will not be taken into account. (*mandatory question*)

**Answer (free text):**

**Helena Sjögren, Swedish forest industries federation,  
[helena.sjogren@forestindustries.se](mailto:helena.sjogren@forestindustries.se)**

- (2) In what capacity are you completing this questionnaire? (*mandatory question*)

**Answer (please tick as appropriate):**

- As a citizen (if so, please skip to section 5.2)
- As a private sector enterprise
- As an industry association or non-governmental organisation (NGO)
- As a public authority

- (3) Is your organisation registered in the Transparency Register of the European Commission? (*mandatory question*)

**Answer (please tick as appropriate):**

- Yes
- No

If yes, please indicate the identification number

**Answer (free text): 58671163930-55**

- (4) What is the name of the organisation or authority? (*mandatory question*)

**Answer (free text): Swedish Forest Industries Federation (SFIF)**

- (5) Please provide details of the activities of your organisation. In the case of multiple activities, please indicate the relative importance of each. (*mandatory question*)

**Answer (please tick as appropriate):**

- Road transport operator**
- Rail or combined transport operator**
- Waterborne transport operator**
- Other transport activity (please specify below)**
- Industry carrying out specialised transport (please specify below)**
- Freight forwarding or shipping**
- Infrastructure or network manager**
- Research and development sector**
- Public administration**
- Heavy-duty vehicle manufacturer**
- Other economic activity (please specify below)**

If your organisation carries out other transport activities, special transport or other economic activities, please specify which activities or type of transport below.

**Answer (free text): SFIF represents the Swedish sawmills and the Swedish pulp and paper industry and is hence represents transport buyers, shippers, of Sweden. About 25 % of the Swedish haulage market is transports of member companies of SFIF.**

## **6.2. Energy and CO2 efficiency**

Road transport is extremely dependent on oil and a strong contributor to emissions of greenhouse gases and other pollutants. The White Paper on Transport states that 71.3% of transport emissions in the EU in 2008 came from road transport. It is therefore crucial to improve the energy efficiency and CO2 efficiency of these vehicles.

Two approaches can be used to reduce emissions and fuel consumption from heavy duty vehicles (HDVs): the first is to increase the load of vehicles and reduce empty returns, or in other words to improve logistic efficiency. Fair and efficient charging for the use of infrastructure, or other measures recommended in the White Paper to eliminate the remaining restrictions in the internal market, such as further opening of cabotage, can contribute to this. Some stakeholders have also suggested increasing the payload so as to use fewer vehicles to move the same amounts. An increase in loading capacity of heavy

duty vehicles is however not the aim of the considered revision. Although the introduction of heavier and/or longer vehicles could potentially increase the efficiency of road transport, the analysis of the Commission's services is that discussions are not mature enough on the other implications of such a move, including: reverse modal shift, empty runs, road safety.

The second approach is to increase the individual efficiency of vehicles on the road through action towards the automotive industry. EU coordinated support can improve the individual energy efficiency of vehicles and spur innovation. Action has been taken to improve the performance of tyres<sup>5</sup>. Previous research also shows that reducing the air resistance of the vehicle, which accounts for 20% to 30% of HDV fuel use, may also reduce fuel consumption up to 5% or 6%. An appropriate increase in length of vehicles should therefore be considered to allow improvements in aerodynamics, without however increasing the payload of vehicles. Progress in electrification and hybridisation of engines also impacts positively on the energy performance of vehicles. Adaptations to maximum weights of certain categories of vehicles (in keeping with current maximum axle weights and payload) may however be needed to accommodate for the extra load represented by electric batteries.

- (1) Do you have any evidence that the provisions of Directive 96/53 are limiting innovations to improve fuel consumption and energy efficiency of vehicles? If so, which provisions? (*mandatory question*)

**Answer (free text): Innovative solutions for road transport are inhibited by too restrictive legislation. Trials of new truck combinations, like the European Modular System for instance, and higher weight and dimension limits for trucks should be promoted to unleash the potential of road transport. Cross border transports should be made easier, if we want the Single Market to function more efficiently and sustainably.**

**Any measure that makes road freight transport more flexible contributes to higher cost-efficiency and have a direct impact on transport costs - downwards – and contributes to improved sustainability.**

**Strict weight and dimension limits affect significantly industries with heavy and bulky products, such as pulp, paper and steel industry, as in many cases there is no other transport mode available and efficient enough to be substituted to road freight transport. In many EU Member States, there is no reason to stick to 40 tonnes maximum weight limit as in many other neighbouring EU Member States this limit is at 44 tonnes – a level which does not create safety/environmental problems. A shift from 40 to 44 tonnes represents a 10% efficiency gain, and further, a shift from 44 to 48 tonnes gives an additional efficiency gain of 9%. In Finland and Sweden the weight limit is even higher, 60 tonnes. More flexible truck/trailer combinations and options - the European Modular System is a good**

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<sup>5</sup> Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefore; Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters.

example – should be explored and tested as they contribute to higher efficiency and co-modality objectives.

Efficient road transport is also more sustainable. Road transport is a key driver for European industries' and EU economy's trade and competitiveness. Higher transport costs (fuel prices, "Eurovignette" and other taxes and charges) are detrimental to industry's competitiveness.

Efficient road transport is definitely an essential tool to contribute to mitigating climate change. Any opportunity to make road transport more efficient should be explored in a very pragmatic way, as road transport is and will be (one of) the most important transport mode(s). When arguing for different limits for total weight of the vehicle the number of axels and pressure of the axels should be considered. A heavier truck may not bring more wear to the road if the weight is distributed on more axels.

The Directive should also permit Member States to provide derogations from the provisions for weight and dimensions of vehicles carrying out transports both within their own borders and cross border.

- (2) Is the aerodynamic performance of heavy-duty vehicles an efficient way to achieve savings in energy and fuel consumption? (*optional question*)

Answer (please tick as appropriate):

- Yes  
 No

If so, please specify your answer and provide references of evidence where possible.

Answer (free text): Trailer tail device can deliver some substantial fuel savings for instance, but it requires higher dimensions & weight limits and more flexibility from a legislation point of view.

- (3) What measures and devices can be used to improve the aerodynamic performance of heavy goods vehicles? (several answers possible – please rate each answer selected on a scale of 1 to 4, 1 being the lowest level and 4 the highest, according to a cost/benefit ratio) (*optional question*)

Answer (please tick as appropriate):

- Lateral wings

1      2      3      4

          

- Aerodynamic tails (guiding vanes, boat tails)

1      2      3      4

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
•	<b>Collapsible tails</b>		
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
•	<b>Inflatable tails</b>		
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
•	<b>Side skirts</b>		
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
•	<b>Improved cabin design</b>		
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If other measures or devices should be used, please specify which ones and rate each answer selected on a scale of 1 to 4, 1 being the lowest level and 4 the highest, according to a cost/benefit ratio.

**Answer (free text): It is important to improve the aerodynamic of trucks. But it needs to be compared with the load capacity. If including an aerodynamic tail increase the space for freight the consequence might be that we need more trucks for the same amount of goods.**

- (4) What impact will the measure above with the highest cost/benefit ratio have? (several answers possible, please rate each answer selected on a scale of -4 to 4 according to level of impact, 4 being the highest positive impact and -4 the highest negative impact) (*optional question*)

**Answer (please tick as appropriate):**

•	<b>Cost</b>								
<b>-4</b>	<b>-3</b>	<b>-2</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



• <b>Infrastructure (geometry)</b>								
<b>-4</b>	<b>-3</b>	<b>-2</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Road safety</b>								
<b>-4</b>	<b>-3</b>	<b>-2</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Intermodality (interoperability of intermodal units)</b>								
<b>-4</b>	<b>-3</b>	<b>-2</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Modal share of rail and waterborne transport</b>								
<b>-4</b>	<b>-3</b>	<b>-2</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Fuel/carbon efficiency</b>								
<b>-4</b>	<b>-3</b>	<b>-2</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Competitiveness of European vehicle manufacturing industry</b>								
<b>-4</b>	<b>-3</b>	<b>-2</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please indicate the likely impacts on the above aspects of other measures not ranked with the highest cost/benefit ratio, but worth considering. If you consider that other types of impact should be taken into account, please specify which ones and rate each answer selected on a scale of 1 to 4, 1 being the lowest level and 4 the highest, according to the cost/benefit ratio.

**Answer (free text):**

- (5) What length of tails, width of lateral wings and type of cabin design would you recommend? Please explain why and provide reference to studies where relevant. (*optional question*)

**Answer (free text):** The answer is depending whether the tail is included in the maximum length or not.

- (6) Could the aerodynamic aspects of buses and coaches be improved? (*optional question*)

**Answer (please tick as appropriate):**

Yes

No

Please explain your answer.

**Answer (free text):**

- (7) What is the expected cost/benefit of aerodynamic improvement compared to the cost/benefit of other measures to improve the energy efficiency of heavy vehicles such as better engines, energy and fuel optimisation, and eco-driving? Please justify your answer and provide references where possible. (*optional question*)

**Answer (free text):** Aerodynamic improvements can deliver some real benefits in terms of energy efficiency of heavy vehicles, as well as better engines and eco-driving do. But the best way to reduce emissions and improve energy efficiency overall is to reduce the number of trucks carrying the same load on the roads by better optimising the truck/trailer combinations, the trips, the “cabotage” rules and the co-modality. In view of the EU 20-20-20 goals and the 60 % GHG reduction target for the EU transport sector referred to in the EC White Paper on the Future of Transport, all modes of transport will have to step up their efforts to become more environmentally friendly. Road transport, following the adoption of the revised Eurovignette Directive, will be charged more for its environmental impact. A way to realize more efficient and subsequently greener road transport is the introduction of European Modular System.

- (8) Can you provide an estimate of the benefit in terms of fuel consumption (e.g. % reduction according to type of travel, e.g. traffic conditions, type of network, distance, weather conditions)? Please justify your answer and provide references where possible. (*optional question*)

**Answer (free text):**

- (9) Should a special derogation for maximum weights be introduced for vehicles using electric batteries? (*optional question*)

**Answer (please tick as appropriate):**

- Yes**
- No**

If so, up to which total load?

**Answer (free text):**

- (10) If you are the manager of a heavy duty fleet and provided that the directive on weights and dimensions is adapted, would you update your fleet with the following elements: (*optional question*)

**Answer (please tick as appropriate):**

- With aerodynamic devices**
- With electric and hybrid vehicles**
- With other devices**
- With electric and hybrid vehicles**

If so, to what extent would you update your fleet with the chosen elements (including on which vehicles: size, age, type of use, etc):

**Answer (free text):**

- (11) Do you know of any studies or reports analysing the impact of the use of longer and/or heavier vehicles on energy and CO2 efficiency of vehicles? (*optional question*)

**Answer (please tick as appropriate):**

- Yes**
- No**

If so, please provide relevant references including links for online download where possible.

**Answer (free text): Dutch research institute NEA has found that deploying European Modular System (three regular trucks can be substituted by two EMS) would trigger a considerable decrease in GHG emissions and congestion as well as improved road safety.**

**See:**

- **European Modular System, April 2010, NEA, Zoetermeer.**

- **European Modular System for road freight transport – experiences and possibilities, TFK – TransportForsK AB, 2008**

**[http://www.modularsystem.eu/download/facts\\_and\\_figures/20080522att01.pdf](http://www.modularsystem.eu/download/facts_and_figures/20080522att01.pdf)**

**The effects of long and heavy trucks on the transport system, VTI, 2008**

**[http://www.modularsystem.eu/download/facts\\_and\\_figures/long\\_and\\_heavy\\_trucks\\_r605a.pdf](http://www.modularsystem.eu/download/facts_and_figures/long_and_heavy_trucks_r605a.pdf)**

**Truck Masses and Dimensions - Impact on Transport Efficiency, Department of Logistics and Transportation, Chalmers University of Technology, 2004**

**[http://www.modularsystem.eu/download/facts\\_and\\_figures/20080522att04.pdf](http://www.modularsystem.eu/download/facts_and_figures/20080522att04.pdf)**

**Several EU Member States have started pilot projects with these longer and heavier truck combinations:**

- **Sweden and Finland, where the EMS concept was developed, have long since allowed EMS on their roads for environmental and efficiency reasons;**

- **Denmark initiated EMS on a trial basis in 2008. It is about to publish a report on the trial;**

- **The Netherlands has been experimenting with EMS for several years. Assessing its experience, it published a report which concluded that “*no reverse modal shift effects have occurred, and these effects will not occur in the foreseeable future either*”. Moreover, the report found that EMS “*can only be deployed on a limited number of journeys, and with the exception of road transporters, other supply chain parties hardly show any interest...*”. EMS will soon be integrated in Dutch national legislation;**

- **And last but not least, Germany is about to start a 5 year EMS trial.**

**See: Monitoring Modal Shift, July 2011, Ministry of Infrastructure and the Environment, The Hague.**

**[http://www.modularsystem.eu/download/facts\\_and\\_figures/3839492\\_rapport\\_shift\\_lzv\\_eng.PDF](http://www.modularsystem.eu/download/facts_and_figures/3839492_rapport_shift_lzv_eng.PDF)**

### **6.3. Intermodality and innovation in transport needs**

Intermodal transport refers to a transport operation using an intermodal unit and two or more transport modes. Since the drafting of Directive 96/53/EC the conditions for intermodal transport have been subject to developments at global level. In particular the use of 45 foot containers has increased, which have been standardised by the International Standardisation Organisation. Transport of such containers on the national road legs of intermodal operations in the EU is however currently permitted only under certain conditions such as the deliverance of a special permit as foreseen in Article 4(3) of the Directive: The needs of the industries using transport services have also evolved. In order to foster innovation and support free movement of goods with an adequate

transport offer, the Commission is now evaluating the needs of specific industries such as those transporting chemicals, cars and of passenger transport services.

- (1) Do you have any evidence showing that there is a case for adapting Directive 96/53/EC to evolutions in intermodal transport? (*mandatory question*)

**Answer (please tick as appropriate):**

- Yes  
 No

If so, please indicate which evolutions.

**Answer (free text):**

- (2) What would be the advantages or disadvantages of adapting the Directive to allow transport of 45 foot containers without restrictions? (*optional question*)

**Answer (free text): More flexible truck/trailer combinations and options should be explored and tested as they contribute to higher efficiency and are therefore more environmentally friendly.**

- (3) What would be the advantages or disadvantages of adapting the Directive to allow transport of 45 foot containers with restrictions based on geographical, time or intermodal criteria? (*optional question*)

**Answer (free text):**

- (4) Is it necessary to adapt the maximum length of vehicles to allow for the transport of 45 foot containers, and with which additional length? (*optional question*)

**Answer (free text):**

- (5) Should the transport of 45 foot containers by road be authorised: (*optional question*)

**Answer (please tick as appropriate, several answers possible):**

- Only for combined transport as defined in Directive 92/106/EEC<sup>6</sup>**
- For multimodal journeys combining modes outside of the scope of Directive 92/106/EEC**
- For single mode transport by road**
- With route restrictions**
- With time restrictions**

Please justify your answers.

**Answer (free text):**

- (6) What would be the impacts of generalising the transport of such containers by road (including on traffic and modal split)? Please justify your answer and provide references whenever possible. (*optional question*)

**Answer (free text):**

- (7) If the directive on weights and dimensions is adapted to allow the transport of 45 foot containers and if you are the manager of a heavy duty fleet, how much of your transport will be of 45 foot containers (in absolute figures in units or in %)? (*optional question*)

**Answer (free text):**

- (8) Should the Directive be adapted to allow for the transport without special authorisations of other types of containers and swap bodies? If so, which ones and why? (*optional question*)

**Answer (free text):**

- (9) Do you know of any recent developments and innovations in freight transport needs which are incompatible with the provisions of the Directive for maximum weights and dimensions? (*optional question*)

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<sup>6</sup> Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States. For the purpose of this Directive, combined transport is defined as the transport of goods between Member States where the initial or final part of the journey uses the road, and the other leg uses rail or inland waterway or maritime services for a distance of over 100 km. The road leg should be less than 150 km if combined with a maritime leg.

**Answer (please tick as appropriate):**

**Yes**

**No**

If so, please explain.

**Answer (free text):**

- (10) Would the above mentioned changes to adapt the Directive to developments in intermodal transport and innovation, notably 45 foot containers, have an impact on infrastructure? If not, please skip to question 12. (*optional question*)

**Answer (please tick as appropriate):**

**Yes**

**No**

- (11) If so, what would be the impact on construction, maintenance and operation of (several answers possible, please explain your answers and rate each of them on a scale of 1 to 4, 1 being the lowest impact and 4 the highest) (*optional question*)

**Answer (please tick as appropriate, several answers possible):**

• **Roads**

**1      2      3      4**

          

• **Tunnels**

**1      2      3      4**

          

• **Bridges**

**1      2      3      4**

<ul style="list-style-type: none"> <li>• <b>Parking and rest areas</b></li> </ul>				
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• <b>Urban infrastructure</b></li> </ul>				
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If any other types of impact should be taken into account, please explain which ones below and rate each of them on a scale of 1 to 4, 1 being the lowest impact and 4 the highest.

**Answer (free text): More effective road transports will free road capacity.**

(12) Would changes to adapt the Directive to developments in intermodal transport and innovation have an impact on road safety, particularly of vulnerable users? (*optional question*)

**Answer (please tick as appropriate):**

**Yes**

**No**

If yes please explain which one, if no please explain why.

**Answer (free text):**

(13) Do you have any evidence that road safety developments justify specific treatment for two-axle coaches? (*optional question*)

**Answer (please tick as appropriate):**

**Yes**

**No**

If so, please explain.

**Answer (free text):**



(14) Would an increase in the maximum weight of two-axle coaches have an impact on (several answers possible, please explain your answers and rate each of them on a scale of -4 to 4, -4 being the highest negative impact and 4 the highest positive impact) (*optional question*)

**Answer (please tick as appropriate):**

- **Road safety**  
-4   -3   -2   -1   0   1   2   3   4
  
- **Infrastructure**  
-4   -3   -2   -1   0   1   2   3   4
  
- **Passenger comfort**  
-4   -3   -2   -1   0   1   2   3   4
  
- **The coach transport market**  
-4   -3   -2   -1   0   1   2   3   4
  
- **The rail market**  
-4   -3   -2   -1   0   1   2   3   4

If other types of impact should be taken into account, please specify which ones and rate each answer selected on a scale of 1 to 4, 1 being the lowest level and 4 the highest

**Answer (free text):**

- (15) If the directive on weights and dimensions is adapted to allow heavier two-axle coaches and if you are the manager of a coach fleet, what proportion of your fleet would you replace with heavier two-axle vehicles? (*optional question*)

**Answer (free text):**

- (16) Do you know of any studies or reports analysing the effects of innovative transport concepts with impacts on weights and dimensions (EMS, automatic transshipment systems, or other) on intermodal transport? (*optional question*)

**Answer (please tick as appropriate):**

**Yes**

**No**

If so, please provide relevant references including links for online download where possible.

**Answer (free text):**

**- European Modular System, April 2010, NEA, Zoetermeer.**  
**- European Modular System for road freight transport – experiences and possibilities, TFK – TransportForsK AB, 2008**  
**[http://www.modularsystem.eu/download/facts\\_and\\_figures/20080522att01.pdf](http://www.modularsystem.eu/download/facts_and_figures/20080522att01.pdf)**  
**The effects of long and heavy trucks on the transport system, VTI, 2008**  
**[http://www.modularsystem.eu/download/facts\\_and\\_figures/long\\_and\\_heavy\\_trucks\\_r605a.pdf](http://www.modularsystem.eu/download/facts_and_figures/long_and_heavy_trucks_r605a.pdf)**  
**Truck Masses and Dimensions - Impact on Transport Efficiency, Department of Logistics and Transportation, Chalmers University of Technology, 2004**  
**[http://www.modularsystem.eu/download/facts\\_and\\_figures/20080522att04.pdf](http://www.modularsystem.eu/download/facts_and_figures/20080522att04.pdf)**

#### **6.4. Legal clarifications**

Art. 3(1) of Directive 96/53/EC sets down the principle of "mutual recognition", by which Member States cannot reject or prohibit the use in their territory in international traffic of vehicles from other Member States on the basis of their weights and dimensions, provided that these comply with the maximum standards laid down in the Directive. However the Directive also foresees the possibility for Member States to deviate from the maximum weights and dimensions for certain vehicles and transport operations. Such deviations are subject:

- to an authorisation to circulate for the national transport of good or passengers within their own territory for vehicles which are not in conformity with maximum weights and certain maximum dimensions (Art. 4.2)

- to an authorisation procedure which takes the form of special permits (Art. 4.3), or
- to authorisations granted to national transport operations which do not significantly affect international competition in the transport sector (Art. 4.4), or
- to authorisations which allow trials of vehicles or vehicles combinations incorporating new technologies or concepts under certain conditions (Art. 4.5).

Experience has shown that the provisions above are unclear. The Commission intends to use the answers to this section to identify where clarifications are needed and can be done either directly by the Commission itself or as part of the legal review of the Directive

- (1) The Directive is currently understood as prohibiting in general the cross border transport with vehicles deviating from the maximum weights and dimensions between two Member States each allowing this type of transport. Does this cause particular problems? (*optional question*)

**Answer (please tick as appropriate):**

**Yes**

**No**

Please explain your answer.

**Answer (free text): Because of the (most debated) prohibition of cross border transport with vehicles deviating from the maximum weights and dimensions between two Member States, transport of goods, and in particular volume sensitive goods, is not done in the most efficient way, as it requires trucks that can be used in several countries with different requirements. This means less cost-efficient and sustainable transport solutions.**

**Cross border traffic should not be prohibited and conditions for it should be clarified.**

- (2) If so, for which type of transport do these problems arise? (*optional question*)

**Answer (please tick as appropriate, several answers possible):**

**Logging and forestry-related transport**

**Transport of chemicals**

**Transport of other dangerous goods**

**Transport of cars**

**Transport of refrigerated goods**

If problems arise for other types of transport, please explain which.

**Answer (free text): Pulp and paper and other transports of volume sensitive goods.**

- (3) Can the procedures for derogations laid out in Art. 4.3 and Art. 4.4 be improved? (*optional question*)

**Answer (please tick as appropriate):**

- Yes**
- No**

Please explain your answer.

**Answer (free text):**

- (4) Can the provisions for trials in Art. 4.5 be improved? (*optional question*)

**Answer (please tick as appropriate):**

- Yes**
- No**

Please explain your answer.

**Answer (free text):**

- (5) What role should the European Commission play in these procedures? (*optional question*)

**Answer (free text): To be open minded to industry options**

- (6) Should guidelines on common criteria to authorise transport of vehicles deviating from the maximum weights and dimensions be issued? (*optional question*)

**Answer (please tick as appropriate):**

**Yes**

**No**

If yes, in relation to which criteria should these guidelines be issued?

**Answer (please tick as appropriate, several answers possible):**

**Link to combined transport operation**

**Specific driver training**

**Use of corridors designated for use by such vehicles**

**Transport of specific goods**

**Other criteria**

If other criteria should be taken into account, please specify which.

**Answer (free text):**

## **6.5. Controls, checks and enforcement**

The White Paper on Transport underlines the importance of a harmonised enforcement of rules for professional transport as a way to further integrate the road freight market. Proper enforcement and control of compliance with rules on the maximum weights and dimensions is particularly important to ensure fair competition between transport modes and transport companies; to increase road safety; to mitigate the risks for the infrastructures and maintain long lifetimes at affordable cost and to ensure fair taxation and pricing.

The current regulations on access to the market and admission to the profession<sup>7</sup> foresee the creation of an EU-wide register of road transport undertakings to allow exchange of information on infringements committed by non resident undertakings. A legislative proposal on harmonisation of sanctions is also under preparation. The review of Directive 96/53/EC provides an opportunity to link it to the exercise of improving enforcement of the rules for professional transport.

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<sup>7</sup> Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC

- (1) Do you believe that current checks, enforcement policy and means are effective to ensure compliance with the rules on weights and dimensions of Directive 96/53/EC? (*mandatory question*)

**Answer (please tick as appropriate):**

Yes

No

Please explain your answer.

**Answer (free text):**

- (2) What can be done to improve the cost/effectiveness of the enforcement policy? (*optional question*)

**Answer (please tick as appropriate, several answers possible):**

Increase the number of checks (please specify and explain how this should be funded below)

Modify control procedures to limit the cost and increase the quality of checks (please specify below)

Harmonise controls and checks (please specify below)

Harmonise sanctions related to infringements in the field of weights and dimensions rules

Other (please explain below)

Please specify your answers and explain any other means to improve the cost/effectiveness of the enforcement policy below.

**Answer (free text):**

- (3) Are weigh-in-motion systems and systems to measure length in motion a cost-efficient solution to improve enforcement on the rules on weight and length? If not, please skip to question 5. (*optional question*)

**Answer (please tick as appropriate):**

Yes

**No**

Please explain your answer.

**Answer (free text):**

- (4) If so, should their deployment along TEN-T roads be encouraged? (*optional question*)

**Answer (please tick as appropriate):**

**Yes**

**No**

Please explain your answer.

**Answer (free text):**

- (5) What are the 5 most serious infringements to the rules on weights and dimensions? (*optional question*)

**Answer (free text):**

- (6) What are the other very serious infringements to the rules on weights and dimensions? (*optional question*)

**Answer (free text):**

- (7) Should companies be encouraged to self-monitor the enforcement of rules on weights and dimensions in their own work, and if so how? (*optional question*)

**Answer (free text):**

## 6.6. Other questions

- (1) Please list references to any studies or documents of relevance to the review of the Directive in the box below, with links for online download where possible (*optional question*)

**Answer (free text):**

- (2) Do you agree that the Commission publishes your response? (*mandatory question*)

**Answer (please tick as appropriate):**

**Yes**

**No**