



6.5.2019

NOTICE TO MEMBERS

Subject: Petition No 1052/2018 by U.S. (German) signed by 1 additional person on road safety of commercial vehicles in snow and ice

1. Summary of petition

According to the petitioner, snow and ice on the roofs of commercial vehicles such as trucks and articulated lorries pose a great danger and a grave risk of traffic accidents. He claims that in Germany, a driver is in breach of the law if a truck or car sheds ice or snow from the roof. Professional lorry drivers are required by law to remove ice and snow from their vehicles, but this is not possible if he or she has no tools at hand to do so.

The petitioner calls for the EU-wide introduction of airbags, so-called Roof Safety Airbags, to be fitted under the roofs of commercial vehicles to prevent the accumulation of snow and ice on the roof.

2. Admissibility

Declared admissible on 25 February 2019. Information requested from Commission under Rule 216(6).

3. Commission reply, received on 6 May 2019

The Commission's observations

The Commission agrees that, as noted by the petitioner, the drivers of commercial vehicles have the responsibility for *inter alia* securing load and thus to ensure that such load and various other items do not fall off driving vehicles. For such purposes the appropriate tools should be available to the driver if necessary. The Commission has not received information pointing to the existence of similar issues in other Member States.

Conclusion

The petitioner is requesting intervention in an area that is already covered by national legislation. The introduction of EU measures addressing this issue by mandating special equipment to be added on all lorries and trailers that might or might not be used in cold climates is deemed disproportionate, as the matter in question should be enforced on Member State level in line with the subsidiary principle.