



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Transport and Tourism

2013/0105(COD)

10.12.2013

AMENDMENTS 49 - 365

Draft report
Jörg Leichtfried
(PE521.689v01-00)

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

Proposal for a directive
(COM(2013)0195 – C7-0102/2013 – 2013/0105(COD))

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PE524.694v01-00

EN

United in diversity

EN

Amendment 49
Eva Lichtenberger, Michael Cramer

Proposal for a directive

—

Proposal for rejection

***The European Parliament rejects the
Commission proposal.***

Or. en

Amendment 50
Patricia van der Kammen

Proposal for a directive

Title 1

Text proposed by the Commission

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
(Text with EEA relevance)

Amendment

Proposal for a
DIRECTIVE OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
amending Directive **2002/7/EC** of **18
February 2002** 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
(Text with EEA relevance)

Or. nl

Amendment 51
Eva Lichtenberger, Michael Cramer

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) The White Paper ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’ published in 2011⁶ emphasised the need to reduce greenhouse gas emissions, particularly carbon dioxide (CO₂) emissions, by 60% in comparison with 1990 levels by 2050.

⁶ COM (2011) 0144: -

Amendment

(1) The White Paper ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’ published in 2011⁶ emphasised the need to reduce greenhouse gas emissions, particularly carbon dioxide (CO₂) emissions, by 60% in comparison with 1990 levels by 2050, **as well as 20% by 2020**.

⁶ COM (2011) 0144: -

Or. en

Amendment 52
Patricia van der Kammen

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) The White Paper ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’ published in 2011 emphasised the need to reduce greenhouse gas emissions, particularly carbon dioxide (CO₂) emissions, by 60% in comparison with 1990 levels by 2050.

⁶ COM(2011) 144 final.

Amendment

deleted

Or. nl

Amendment 53
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) As there are currently no policies in place to deal with the rising CO2 emissions from trucks, the Commission should assess the introduction of fuel efficiency standards for trucks, further extending its legislative approach on cars and vans.

Or. en

Amendment 54
Patricia van der Kammen

Proposal for a directive
Recital 2

Text proposed by the Commission

Amendment

(2) In this context, the White Paper proposed to adapt Council 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 in 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.

(2) In this context, the White Paper proposed to adapt Council Directive **2002/7/EC** of **18 February 2002** 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 in 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.

Or. nl

Amendment 55
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, ***but which then exceed the maximum lengths allowed under Directive 96/53/EC.*** This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents.

Amendment

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers. This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents.

Or. en

Amendment 56
Corien Wortmann-Kool

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive 96/53/EC. This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents.

Amendment

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive 96/53/EC. This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents. ***This Directive should also encourage and facilitate innovation in vehicle and transport unit design.***

Or. en

Amendment 57
Phil Bennion

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive 96/53/EC. This equipment may be installed as soon as **this Directive enters into force**, as the products are available on the market and already used in other continents.

Amendment

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive 96/53/EC. This equipment may be installed as soon as **the appropriate requirements are laid down at the European level**, as the products are available on the market and already used in other continents.

Or. en

Amendment 58
Dieter-Lebrecht Koch

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive 96/53/EC. This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents.

Amendment

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive 96/53/EC. This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents. **The same applies to energy absorbing aerodynamic cowls and underrun protective devices affixed in the area of the wheels on the sides and at the rear under the trailers, semi-trailers and vehicles. These can significantly improve the energy efficiency of the vehicle while also significantly reducing the risk of injury to other road users.**

Amendment 59
Patricia van der Kammen

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive **96/53/EC**. This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents.

Amendment

(3) Technological developments include the possibility of attaching retractable or foldable aerodynamic devices to the rear of vehicles, mainly trailers or semi-trailers, but which then exceed the maximum lengths allowed under Directive **2002/7/EC**. This equipment may be installed as soon as this Directive enters into force, as the products are available on the market and already used in other continents.

Or. nl

Amendment 60
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) the Commission should develop an approach to reduce empty runs in road freight transport within the framework of measures concerning ‘weights and dimensions’ as well as minimum harmonisation rules for road cabotage in order to avoid dumping practises. Furthermore, the review of the Eurovignette Directive should also be used to reflect progress in estimating the external costs and to mandate the internalisation of external costs for heavy

goods vehicles. The Commission should make a proposal to amend Directive 2011/76/EU by 1 January 2015.

Or. en

Amendment 61
Phil Bennion

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) The improved aerodynamics of the cabs of motor vehicles would *also* allow significant gains on the energy performance of vehicles, in conjunction with the devices mentioned in recital 3 above. However, this improvement is impossible under the current maximum lengths set by Directive 96/53/EC without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. Therefore a derogation from this maximum length is required.

Amendment

(4) ***Heavy-good vehicles are responsible for about 26 percent of road transport CO2 emissions in Europe while their fuel efficiency has hardly improved for the last 20 years.*** The improved aerodynamics of the cabs of motor vehicles would allow significant gains on the energy performance of vehicles, in conjunction with the devices mentioned in recital 3 above ***and are urgently needed in order for the road freight sector to significantly reduce vehicle emissions.*** However, this improvement is impossible under the current maximum lengths set by Directive 96/53/EC without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. Therefore a derogation from this maximum length is required. ***Any derogation should not be used to increase the payload of the vehicle.***

Or. en

Amendment 62
Dieter-Lebrecht Koch

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) The improved aerodynamics of the cabs of motor vehicles would also allow significant gains on the energy performance of vehicles, in conjunction with the devices mentioned in recital 3 above. However, **this improvement is impossible** under the current maximum lengths set by Directive 96/53/EC without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. Therefore a derogation from this maximum length is required.

Amendment

(4) The improved aerodynamics of the cabs of motor vehicles would also allow significant gains on the energy performance of vehicles **and the protection of other road users**, in conjunction with the devices **made of energy absorbing material** mentioned in recital 3 above. However, **these improvements in terms of energy efficiency and road safety are impossible** under the current maximum lengths set by Directive 96/53/EC without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. Therefore a derogation from this maximum length is required.

Or. de

Amendment 63
Dieter-Lebrecht Koch

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) The improved aerodynamics of the cabs of motor vehicles would also allow significant gains on the energy performance of vehicles, in conjunction with the devices mentioned in recital 3 above. However, this improvement is impossible under the current maximum lengths set by Directive 96/53/EC without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. Therefore a derogation from this maximum length is required.

Amendment

(4) *Does not affect English text. Linguistic correction to German*

(applicable throughout the German version)

Or. de

Amendment 64

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) The improved aerodynamics of the cabs of motor vehicles would also allow significant gains on the energy performance of vehicles, ***in conjunction with the devices mentioned in recital 3 above. However, this improvement is impossible*** under the current maximum lengths set by Directive 96/53/EC without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. ***Therefore a derogation from this maximum length is required.***

Amendment

(4) The improved aerodynamics of the cabs of motor vehicles would also allow significant gains on the energy performance of vehicles. ***As demonstrated by the sector***, this improvement is ***possible*** under the current maximum lengths set by Directive 96/53/EC without reducing the vehicle load capacity and threatening the economic equilibrium of the sector.

Or. en

Amendment 65

Patricia van der Kammen

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) The improved aerodynamics of the cabs of motor vehicles would also allow significant gains on the energy performance of vehicles, in conjunction with the devices mentioned in recital 3 above. However, this improvement is impossible under the current maximum lengths set by Directive ***96/53/EC*** without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. Therefore a derogation from this maximum length is required.

Amendment

(4) The improved aerodynamics of the cabs of motor vehicles would also allow significant gains on the energy performance of vehicles, in conjunction with the devices mentioned in recital 3 above. However, this improvement is impossible under the current maximum lengths set by Directive ***2002/7/EC*** without reducing the vehicle load capacity and threatening the economic equilibrium of the sector. Therefore a derogation from this maximum length is required.

Amendment 66
Phil Bennion

Proposal for a directive
Recital 5

Text proposed by the Commission

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁸. A new cab profile will also contribute to improving road safety by reducing the blind spot in the driver's vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *could* also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

⁷ COM(2010) 389

⁸ COM (2012) 258

Amendment

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁸. A new cab profile will also contribute to improving road safety by reducing the blind spot in the driver's vision, including under the windscreen *and to the side of the vehicle*, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *should* also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

⁷ COM(2010) 389

⁸ COM (2012) 258

Amendment 67
Jörg Leichtfried

Proposal for a directive
Recital 5

Text proposed by the Commission

(5) In its policy orientations on road safety 2011-2020, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community. A new cab profile will also contribute to improving road safety by reducing the blind spot in the drivers' vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *could* also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

Amendment

(5) In its policy orientations on road safety 2011-2020, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community. A new cab profile will also contribute to improving road safety by reducing the blind spot in the drivers' vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. ***The new cab profile should therefore, after an appropriate transitional period, become mandatory.*** This new profile *should* also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

Or. de

Justification

Correction to the corresponding amendment in the draft report, to bring it in line with the amendment to Article 1(7).

Amendment 68

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Recital 5

Text proposed by the Commission

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better

Amendment

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better

protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁸. A new cab profile will also contribute to improving road safety by reducing the blind spot in the driver's vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *could* also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

⁷ COM(2010) 389

⁸ COM (2012) 258

protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁸. A new cab profile will also contribute to improving road safety by reducing the blind spot in the driver's vision, including under the windscreen *and to the side of the vehicle*, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *should* also incorporate energy absorption structures in the event of a collision *and could be streamlined to deflect other road users in case of collisions to avoid overruns. Whilst remaining within the dimensions laid down in Directive 96/53/EC, new cab designs should comply with improved direct vision requirements, energy absorption criteria and pedestrian protection requirements*. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

⁷ COM(2010) 389

⁸ COM (2012) 258

Or. en

Amendment 69

Brian Simpson, Saïd El Khadraoui

Proposal for a directive

Recital 5

Text proposed by the Commission

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The

Amendment

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The

importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁷. A new cab profile will also contribute to improving road safety by reducing the blind spot in the drivers' vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *could* also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

⁷ COM(2010) 389

⁸ COM (2012) 258

importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁷. A new cab profile will also contribute to improving road safety by reducing the blind spot in the drivers' vision, including under the windscreen ***and to the side of the vehicle***, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new ***cab*** profile ***should therefore, after an appropriate transitional period, become mandatory***. This new profile ***should*** also incorporate energy absorption structures in the event of a collision ***and should be streamlined to deflect other road users in case of collisions to avoid overruns***. ***It is essential that new cab designs benefiting from the length exceedances comply with improved direct vision requirements, energy absorption criteria and pedestrian protection requirements***. The potential gain in the volume of the cab would also improve the driver's comfort and safety, ***which in turn would also impact on the safe driving of vehicles, particularly heavy goods vehicles***. ***In the interests of improving the drivers fitness to drive safer and thereby road safety, it is also essential that the new cab designs improve the size, safety and comfort of the driver's cabin***.

⁷ COM(2010) 389

⁸ COM (2012) 258

Or. en

Justification

It is important to be clear on how to improve cab safety in the interest of vulnerable road users, such as cyclists and pedestrians and the drivers themselves. Improving cabin design for the drivers will also lead to safer driving. Furthermore it is essential that the safety improvements are made mandatory so that these changes have a real impact on the number of

avoidable and needless deaths on our roads.

Amendment 70
Dieter-Lebrecht Koch

Proposal for a directive
Recital 5

Text proposed by the Commission

(5) In its policy orientations on road safety 2011-2020, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community. A new cab profile will also contribute to improving road safety by reducing the blind spot in the drivers' vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *could* also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.

Amendment

(5) In its policy orientations on road safety 2011-2020, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community. A new cab profile will also contribute to improving road safety by reducing the blind spot in the drivers' vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile *must* also incorporate energy absorption structures in the event of a collision, *in the light of the successful implementation of Directive 2003/102/EC*. The potential gain in the volume of the cab would also improve the driver's comfort, *in the interest of job quality*, and *the driver's* safety.

Or. de

Amendment 71
Anna Ibrisagic

Proposal for a directive
Recital 5

Text proposed by the Commission

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁸. ***A new cab profile will also contribute to improving road safety by reducing the blind spot in the drivers' vision, including under the windscreen, which should help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile could also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.***

⁷ COM(2010) 389

⁸ COM (2012) 258

Amendment

(5) In its policy orientations on road safety 2011-2020⁷, the Commission set out measures to make vehicles safer and better protect vulnerable road users. The importance of visibility for vehicle drivers was also underlined in the Commission's report to the European Parliament and the Council on the implementation of Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community⁸. ***However, safety improvements will not come automatically after the re-design and the extension of the cab. Safety has to be addressed by the General Safety regulation (EC 661/2009) and under the corresponding UNECE legislation. In these legislations, additional safety measures may be introduced to reduce the blind spot in the driver's vision, including under the windscreen and to avoid potential collisions so as to help save the lives of many vulnerable road users such as pedestrians or cyclists. This new profile could also incorporate energy absorption structures in the event of a collision. The potential gain in the volume of the cab would also improve the driver's comfort and safety.***

⁷ COM(2010) 389

⁸ COM (2012) 258

Or. en

Amendment 72
Phil Bennion

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Aerodynamic devices and their installation in vehicles must be tested before being put on the market. To this end, Member States are to issue certificates that will be recognised by other Member States.

Amendment

(6) Aerodynamic devices and their installation in vehicles must be tested, ***in accordance with the test procedure for measurement of aerodynamic performance being developed by the European Commission***, before being put on the market. To this end, Member States are to issue certificates that will be recognised by other Member States. ***The Commission should develop detailed technical guidelines on the application and requirements for certificates.***

Or. en

Justification

The European Commission is developing a test procedure - VECTO- that will allow consistency between the measurements of aerodynamic performance across Europe

Amendment 73
Patricia van der Kammen

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Aerodynamic devices and their installation in vehicles must be tested before being put on the market. To this end, Member States ***are to*** issue certificates ***that will be recognised by other Member States.***

Amendment

(6) Aerodynamic devices and their installation in vehicles must be tested before being put on the market. To this end, Member States ***may*** issue certificates ***if they so wish.***

Or. nl

Amendment 74
Juozas Imbrasas

**Proposal for a directive
Recital 6 a (new)**

Text proposed by the Commission

Amendment

(6a) Member States entering into agreements that allow longer and heavier vehicles to be used in cross-border transport should ensure that the 2030 and 2050 goals regarding the targets of 30% and 50%^{8a} respectively are not burdensome to the economy and acknowledge that, long-haul road freight is economically positive. It should be proven, documented and reported to the Commission for its approval that the present and future role of longer and heavier vehicles is complementing rather than competing with rail and waterborne transport.

^{8a} OJ C 168 E, 14.6.2013, p. 72.

Or. en

**Amendment 75
Mathieu Grosch, Dieter-Lebrecht Koch**

**Proposal for a directive
Recital 6 a (new)**

Text proposed by the Commission

Amendment

(6a) In order to meet the objectives of the White Paper on Transport published in 2011 the revision of Directive 96/53/EC is an opportunity to improve the driver's safety and comfort taking into account the requirements set out in the Occupational Health and Safety Framework Directive 89/391/EEC.

Or. en

Amendment 76
Hubert Pirker

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the two Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it.
This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Amendment

(7) Vehicles which do not meet the common standards set out in this Directive should be approved only for national transport within a Member State.
This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Or. de

Justification

This clarification is necessary to highlight once more the objective of this Directive, which is to ensure that dimensions and weights for commercial vehicles are laid down throughout Europe with a view to a functioning Single Market. Contravening them distorts competition and thus harms the Single Market.

Amendment 77
Peter van Dalen

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the **two** Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Amendment

(7) Longer vehicles may be used in cross-border transport if the Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Or. nl

Amendment 78

Ismail Ertug

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the two Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-

Amendment

(7) Within the European Union, cross-border transport operations using vehicles or combinations of vehicles whose dimensions and weights exceed those set out in Annex I should not be permitted.

border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Or. de

Amendment 79
Jim Higgins, Jacqueline Foster, Phil Prendergast

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the **two** Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. ***The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it.*** This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Amendment

(7) Longer ***and higher*** vehicles may be used in cross-border transport if the Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. ***This provision must not distort the internal market.*** This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Or. en

Justification

Where Member States see fit, they should be allowed to engage in cross border trade. The European Union should not impose arbitrary restrictions on vehicle dimensions in areas of the EU where the infrastructure is built to a high standard to accommodate more efficient methods of transport.

Amendment 80

Michel Dantin, Dominique Riquet

Proposal for a directive

Recital 7

Text proposed by the Commission

*(7) Longer vehicles may be used in cross-border transport **if the two Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.***

Amendment

*(7) Longer vehicles may **not** be used in cross-border transport, **as they may distort international competition and damage some of the road infrastructure, as well as impair road safety and the sustainable development of transport in Europe.***

Or. fr

Amendment 81

Christine De Veyrac, Dominique Vlasto, Georges Bach, Michel Dantin, Dominique Riquet

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the two Member States concerned already allow it **and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it.** This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. **The provisions of Article 4 (4) are clarified in this respect.**

Amendment

(7) Vehicles of a maximum weight of 44 tonnes may be used in cross-border transport if the two Member States concerned already allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market.

Or. fr

Justification

It seems essential that European regulations take changes in the intra-Community transport sector into account by allowing the cross-border movement of vehicles or vehicle combinations with a maximum authorised weight of 44 tonnes, without infringing road safety requirements.

Amendment 82

Petri Sarvamaa, Hannu Takkula, Eija-Riitta Korhola, Anneli Jäätteenmäki, Nils Torvalds, Sari Essayah, Anne E. Jensen, Christofer Fjellner, Anna Ibrisagic, Gunnar Hökmark, Alf Svensson, Anna Maria Corazza Bildt, Bendt Bendtsen

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the **two** Member States concerned already allow **it** and if the conditions for **derogation** under Article 4(3), (4) or (5) of the Directive are met. **The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it.** This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. **The provisions of Article 4 (4) are clarified in this respect.**

Amendment

(7) Longer, **higher and/or heavier** vehicles may be used in cross-border transport if the Member States concerned already allow **or wish to allow such vehicles on a permanent basis since Directive 96/53/EC came into force** and if the conditions for **derogation** under Article 4 (4) of the Directive are met. **Such vehicles may also be used in cross border transport between Member States and neighbouring Member States where they are already allowed on provisional basis. Provisions to this effect are laid down in a new Article 4 (7).** This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market.

Or. en

Justification

In line with the principle of subsidiarity Member States must have the right to decide on transport solutions suited to their specific circumstances as long as these solutions do not discriminate between national and other vehicles. Directive 96/53EC already gives Member States wide discretion in this regard.

Amendment 83

Phil Bennion

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Longer vehicles **may be used** in cross-border transport if the two Member States concerned already **allow it** and if the conditions for derogation under Article

Amendment

(7) Longer vehicles **remain an exception to the common standards laid down under this directive and may only be authorised** in cross-border transport **in special**

4(3), (4) *or* (5) of the Directive are met. The European Commission *has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances* the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances *with the need* to prevent such policies from distorting the internal market. *The provisions of Article 4 (4) are clarified in this respect.*

circumstances if the two Member States concerned already *authorise it* and if the conditions for derogation under Article 4(3), (4), *(4a new) or* (5) of the Directive are met. The European Commission *should ensure that any derogation to the standards laid down under this Directive does not affect* international competition *and the environmental and safety objectives of the European Union.* The Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances *needs to be ensured whereas there is also a necessity* to prevent such policies from distorting the internal market *and affecting the environmental and safety objectives of the European Union. It is therefore appropriate to lay down minimum requirements for the operation of these vehicles.*

Or. en

Amendment 84

Marita Ulvskog, Ole Christensen, Liisa Jaakonsaari

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the **two** Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to **two** Member States where the existing infrastructure and the road safety requirements allow it. This balances the

Amendment

(7) Longer **and/or heavier** vehicles may be used in cross-border transport if the Member States concerned already allow it and if the conditions for derogation under Article 4**(2)**, (3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to Member States where the existing infrastructure and the road safety

Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Or. sv

Amendment 85
Franco Frigo

Proposal for a directive
Recital 7

Text proposed by the Commission

*(7) Longer vehicles may be used in cross-border transport **if the two Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.***

Amendment

*(7) Longer **and/or heavy goods** vehicles may be used in cross-border transport. **Any legislative proposal to authorise the cross-border use of these vehicles must be accompanied by an impact assessment which takes into account the effects on modal shift, safety, social and employment conditions, SMEs, logistics, pollution and noise, in order to assess whether the legislative proposal is compatible with the Union's main policy objectives as listed in the White Paper.***

Or. it

Amendment 86
Sabine Wils

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles *may* be used in cross-border transport *if the two Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.*

Amendment

(7) Longer *and/or heavier* vehicles *should not* be used in cross-border transport. *Cross-border* operations *would* impact international competition *and contradict* the principle of *EU-wide standardisation of weights and dimensions in international transport.*

Or. en

Justification

Either cross-border use of longer and heavier vehicles is allowed or it is not: there is no basis for saying that limiting it to two Member States would not have a significant impact on international competition. The principle of subsidiarity should only concern activity internal to a Member State and cannot be extended to bilateral international agreements.

Amendment 87
Nathalie Griesbeck, Robert Rochefort

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the two Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the *need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.*

Amendment

(7) To ensure that there is no distortion of competition between hauliers from different Member States, it is essential that the dimensions of the vehicles used for international transport operations are common to all. Any exceptions to these common standards are exclusively limited to national transport operations. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the *objectives set out in the White Paper.*

Or. fr

Amendment 88

Corien Wortmann-Kool, Mathieu Grosch, Philippe De Backer, Gesine Meissner, Dieter-Lebrecht Koch

Proposal for a directive Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if **the two** Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. **The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on**

Amendment

(7) Longer vehicles may be used in cross-border transport if **two or several** Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. **Competent authorities of Member States should determine specific requirements to the vehicle, the infrastructure and the driver in order to assure an adequate level of safety. The cross-border use of these**

international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

vehicles should be backed by bilateral or multilateral agreements between the competent authorities of Member States concerned specifying the routes and other conditions that need to be met. The European Commission has already provided guidance on the application of Article 4 of the Directive. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

Or. en

Amendment 89
Patricia van der Kammen

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Longer vehicles may be used in cross-border transport if the two Member States concerned *already* allow it *and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of*

Amendment

(7) Longer *and/or heavier* vehicles may be used in cross-border transport if the two Member States concerned allow it.

Article 4 (4) are clarified in this respect.

Or. nl

Amendment 90

Phil Bennion

Proposal for a directive

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Longer and heavier goods vehicles are expected to require investments to adapt and maintain the road infrastructure as well as to strengthen measures to reduce noise, air pollution, accidents and congestion. Thereby, Member states may in any case prohibit the use of these vehicles within their territory ;

Or. en

Amendment 91

Georges Bach

Proposal for a directive

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The use of longer vehicles in international transport operations will have consequences on road safety, on the environment and on road infrastructure. Before lifting the existing ban on longer and heavier vehicles in international transport operations, the Commission should assess the potential impacts of such a change of rules.

Or. en

Amendment 92
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Any changes to the dimension of heavy goods vehicles, be it to their length, height, width or their weight, would place a heavy financial impact on member states to adapt infrastructure, be it motorway exits, bridges, tunnels, roundabouts or gradients on steep streets

Or. en

Amendment 93
Gesine Meissner

Proposal for a directive
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The Commission should work on a harmonised approach concerning approval procedures for special permits for vehicles and vehicle combinations exceeding the maximum dimensions in accordance with Article 4 (3). The procedures of competent authorities in different Members States and /or regions allowing indivisible loads to circulate need to be aligned.

Or. en

Justification

In practice the very different procedures in Member States pose problems if you need to obtain special permits for a cross-border transport of wind turbine pieces for example.

Amendment 94

Mathieu Grosch, Corien Wortmann-Kool, Dieter-Lebrecht Koch, Gesine Meissner

Proposal for a directive

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) In order to assess the impact of vehicles exceeding the dimensions set up by this Directive on road safety, it is appropriate that Member States collect data of accidents involving heavy good vehicles longer than 18.75 m. The Commission should consider proposing the inclusion of these data among the annual reporting obligations of Member States in the framework of Council Decision 93/704/EC on the creation of a Community database on road accidents.

Or. en

Justification

The figure of 18.75 m is the longest vehicle limit allowed by Directive 96/53 for heavy goods vehicles. Taking into account the possibilities for longer dimensions of heavy goods vehicles of up to 2m under the new provisions for aerodynamic improvements, but also the derogations for national and cross border transport by even longer vehicles, it is appropriate to assess the impact of vehicles longer than 18.75m on road safety. The collection of such statistics by Member States should take place in the framework of Council Decisions 93/704/EC, which already provide for a yearly reporting obligation of road accidents, on the basis of an amendment proposed by the Commission.

Amendment 95

Hubert Pirker

Proposal for a directive

Recital 8

Text proposed by the Commission

Amendment

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore

non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.

non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms. ***To ensure that no constraints are placed on research and development in this area, this Directive should comply with the principle of technology neutrality.***

Or. de

Justification

It does not make sense to specify only two types of engine. This merely hampers potential innovations in this area. The Directive should not hold up technological progress but should be technology-neutral.

Amendment 96 **Phil Bennion**

Proposal for a directive **Recital 8**

Text proposed by the Commission

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.

Amendment

(8) Using ***low-carbon technologies, including*** alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments), generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.

Or. en

Amendment 97
Jörg Leichtfried

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.

Amendment

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms. ***Vehicles with alternative engine technologies should be permitted to exceed the maximum weight by up to one tonne. However, the extra weight should not increase the load capacity of the vehicle. The principle of technological neutrality should be maintained.***

Or. de

Justification

Supplements the corresponding amendment in the draft report, seeking to make it clear that no more extra weight is allowed than is actually needed for the alternative engine technology. It is not the intention to permit an increased load capacity.

Amendment 98
Oldřich Vlasák

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, such as electric or hybrid engines for heavy-duty

Amendment

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, such as electric or hybrid engines for heavy-duty

vehicles or buses (mainly in urban or suburban environments) *generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.*

vehicles or buses (mainly in urban or suburban environments), *helps the European Union to attain energy independence and to achieve the objectives of the 'Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system' white paper.*

Or. cs

Amendment 99

Christine De Veyrac, Dominique Vlasto

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) *Using* alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, *such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates* extra weight *which should not be* counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.

Amendment

(8) *In line with the principle of technological neutrality and to encourage hauliers to use* alternative engines that no longer rely only on fossil fuels and are therefore non-polluting or less polluting, *it seems essential that the* extra weight *of these alternative engines is not* counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.

Or. fr

Amendment 100

Petri Sarvamaa, Hannu Takkula, Eija-Riitta Korhola, Anneli Jäätteenmäki, Nils Torvalds, Sari Essayah, Anne E. Jensen, Christofer Fjellner, Anna Ibrisagic, Gunnar Hökmark, Alf Svensson, Anna Maria Corazza Bildt, Bendt Bendtsen

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore

Amendment

(8) Using alternative engines that no longer rely only on fossil fuels and are therefore

non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms.

non-polluting or less polluting, such as electric or hybrid engines for heavy-duty vehicles or buses (mainly in urban or suburban environments) generates extra weight which should not be counted at the expense of the effective load of the vehicle so that the road transport sector is not penalised in economic terms. *The solutions should also maintain the principle of technological neutrality.*

Or. en

Amendment 101
Hubert Pirker

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for

Amendment

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for

intermodal transport, for which the road component *does not exceed 300 km* for operations involving a rail, river or sea component. *This distance appeared sufficient* to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

intermodal transport, for which the road component for operations involving a rail, river or sea component *should be evaluated differently from region to region and should be set by the individual Member States in order* to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

Or. de

Justification

A set distance in km will be hard to enforce sensibly in the context of road transport forming part of an intermodal transport operation, and takes no account at all of efficiency, profitability or the environment nor of the infrastructure and geographical features of the individual Member States.

Amendment 102 **Jörg Leichtfried**

Proposal for a directive **Recital 9**

Text proposed by the Commission

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures

Amendment

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures

for transporters and facilitate *intermodal* transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. ***In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed 300 km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.***

for transporters and facilitate *combined* transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. This increase *should* however *be* authorised only for *combined* transport *in* which the road component does not exceed *the distance to or from the nearest transshipment station* for operations involving a rail *component or 150 km from the river port or seaport of transshipment for operations involving a* river or sea component.

Or. de

Justification

Correction to the corresponding amendment in the draft report.

Amendment 103 Corien Wortmann-Kool

Proposal for a directive Recital 9

Text proposed by the Commission

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these

Amendment

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these

containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by **15** cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this **15** cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed 300 km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by **80** cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this **80** cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed 300 km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

Or. en

Justification

15 cm extra length to facilitate the transport of 45' containers by road does not make sense. It has effect only if a completely new chassis for the transport of 45' containers is being developed. Several years ago the Commission allowed Member States to set up special conditions for the transport of 45' containers. Netherlands and Belgium allowed on this basis an additional length of 80 cm. This extra length makes it possible to transport a 45' container on a standard container chassis.

Amendment 104 **Dieter-Lebrecht Koch**

Proposal for a directive **Recital 9**

Text proposed by the Commission

(9) The White Paper on Transport also stresses the need to monitor developments

Amendment

(9) The White Paper on Transport also stresses the need to monitor developments

in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed **300** km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed **500** km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

Or. de

Amendment 105
Petri Sarvamaa

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) The White Paper on Transport also stresses the need to monitor developments

Amendment

(9) The White Paper on Transport also stresses the need to monitor developments

in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed 300 km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

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Or. en

Amendment 106
Phil Bennion

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) The White Paper on Transport also stresses the need to monitor developments

Amendment

(9) The White Paper on Transport also stresses the need to monitor developments

in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed 300 km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by 15 cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this 15 cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, for which the road component does not exceed 300 km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. *Taking into account the specific circumstances of island member states*, to link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.

Or. en

Amendment 107
Philippe De Backer

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by **15** cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this **15** cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport, ***for which the road component does not exceed 300 km for operations involving a rail, river or sea component. This distance appeared sufficient to link an industrial or commercial site with a freight terminal or a river port. To link a seaport and support the development of motorways of the sea, a longer distance is possible for a short intra-European maritime transport operation.***

Amendment

(9) The White Paper on Transport also stresses the need to monitor developments in intermodal transport, particularly in the area of containerisation, where 45-foot containers are increasingly used. They are transported by rail or inland waterways. But the road components of intermodal journeys can only be undertaken today if both the Member States and the transporters follow cumbersome administrative procedures or if these containers have patented chamfered corners, the cost of which is prohibitive. Increasing the length of the vehicles transporting them by **80** cm could eliminate these administrative procedures for transporters and facilitate intermodal transport, without risk or prejudice to the infrastructure or other road users. The small increase that this **80** cm represents in relation to the length of an articulated truck (16.50 m) does not constitute an additional risk to road safety. In the policy orientation of the White Paper on Transport, this increase is however authorised only for intermodal transport.

Or. en

Justification

An extra length of 15 cm might not always be sufficient for vehicles engaged in transport of 45-foot containers. Belgium, for example, allows a 77cm extension for the transport of a 45-foot container from and to an intermodal terminal within the national territory. An amendment proposing an extra extension is therefore necessary.

Amendment 108
Markus Ferber

Proposal for a directive
Recital 10

Text proposed by the Commission

(10) To further promote intermodal transport **and take into account the unladen weight of 45-foot containers**, the provision authorising the circulation of 44-tonne combinations of vehicles with 5 or 6 axles transporting 40-foot containers in intermodal transport should be extended to those carrying 45-foot containers.

Amendment

(10) To further promote intermodal transport, **all intermodal loading units used in such transport operations should be taken into consideration. To take into account the unladen weight of these units**, the provision authorising the circulation of 44-tonne **GTW** combinations of vehicles with 5 or 6 axles transporting 40-foot containers in intermodal transport should be extended to **intermodal loading units within the meaning of Article 2 of the Directive (e.g. swap bodies or containers not exceeding 45 feet in length)**.

Or. de

Amendment 109
Patricia van der Kammen

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Since the adoption of Directive **96/53/EC**, the average weight of bus passengers and their luggage has increased substantially, leading to a gradual reduction in the number of passengers carried, given the weight limits imposed by the Directive. The need to promote public transport over private transport in the interests of better energy efficiency means that the previous number of bus passengers must be re-established, taking into account this increase in their weight and that of

Amendment

(11) Since the adoption of Directive **2002/7/EC**, the average weight of bus passengers and their luggage has increased substantially, leading to a gradual reduction in the number of passengers carried, given the weight limits imposed by the Directive. The need to promote public transport over private transport in the interests of better energy efficiency means that the previous number of bus passengers must be re-established, taking into account this increase in their weight and that of

their luggage. This can be done by increasing the authorised weight for buses with two axles, within limits that nonetheless ensure that the infrastructure is not damaged through faster erosion.

their luggage. This can be done by increasing the authorised weight for buses with two axles, within limits that nonetheless ensure that the infrastructure is not damaged through faster erosion.

Or. nl

Amendment 110

Phil Bennion

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) The authorities responsible for enforcing road transport-related requirements note a high number of infringements, sometimes serious, particularly in relation to the weight of transport vehicles. This situation stems from the insufficient number of checks conducted under Directive 96/53/EC, or from their inefficiency. Furthermore, the procedures and rules for checks differ between Member States, creating legal uncertainty for drivers of vehicles operating in several Member States of the Union. Furthermore, transporters that do not comply with the relevant rules enjoy a significant competitive advantage over competitors that do comply with the rules, and over other modes of transport. This situation constitutes an obstacle to the proper functioning of the internal market. It is therefore important that Member States increase the pace of checks carried out, both the manual checks and the pre-selections for manual checks.

Amendment

(12) The authorities responsible for enforcing road transport-related requirements note a high number of infringements, sometimes serious, particularly in relation to the weight of transport vehicles. This situation stems from the insufficient number of checks conducted under Directive 96/53/EC, or from their inefficiency. Furthermore, the procedures and rules for checks differ between Member States, creating legal uncertainty for drivers of vehicles operating in several Member States of the Union. Furthermore, transporters that do not comply with the relevant rules enjoy a significant competitive advantage over competitors that do comply with the rules, and over other modes of transport. This situation constitutes an obstacle to the proper functioning of the internal market **and a risk to road safety**. It is therefore important that Member States increase the pace **and efficiency** of checks carried out, both the manual checks and the pre-selections for manual checks, **based on a risk-rating system**.

Or. en

Justification

A risk profile shall be attributed to each undertaking identified in the roadside inspections risk rating system to ensure the checks of the vehicles are efficient.

Amendment 111

Patricia van der Kammen

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) The authorities responsible for enforcing road transport-related requirements note a high number of infringements, sometimes serious, particularly in relation to the weight of transport vehicles. ***This situation stems from the insufficient number of checks conducted under Directive 96/53/EC, or from their inefficiency. Furthermore, the procedures and rules for checks differ between Member States, creating legal uncertainty for drivers of vehicles operating in several Member States of the Union. Furthermore,*** transporters that do not comply with the relevant rules enjoy a significant competitive advantage over competitors that do comply with the rules, and over other modes of transport. This situation constitutes an obstacle to the proper functioning of the internal market. It is therefore ***important that*** Member States increase the pace of checks carried out, both the manual checks and the pre-selections for manual checks.

Amendment

(12) The authorities responsible for enforcing road transport-related requirements note a high number of infringements, sometimes serious, particularly in relation to the weight of transport vehicles. ***Relevant factors include, for example,*** checks conducted under Directive 96/53/EC, or their inefficiency. Furthermore, the procedures and rules for checks differ between Member States, ***and*** transporters that do not comply with the relevant rules enjoy a significant competitive advantage over competitors that do comply with the rules, and over other modes of transport. This situation constitutes an obstacle to the proper functioning of the internal market. It is therefore ***up to*** Member States, ***if they so wish, to*** increase the pace of checks carried out, both the manual checks and the pre-selections for manual checks.

Or. nl

Amendment 112

Anne E. Jensen

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. Some devices may be installed onboard heavy goods vehicles and give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices may also use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. The pre-selection should ***have a minimum threshold of one weighing per 2 000 vehicle kilometres*** to ensure the effectiveness of the roadside checks on the territory of the Union, ***because this would allow every vehicle to be checked on a statistical average of every three days.***

Amendment

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. Some devices may be installed onboard heavy goods vehicles and give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices may also use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. The pre-selection should ***be proportionate to the total number of these vehicles that are registered and/or operating in its territory*** to ensure the effectiveness of the roadside checks on the territory of the Union. ***The technological solutions should only be used by Member States if they have proven technological accuracy and reliability and if applied in an approximated manner by all Member States.***

Or. en

Justification

Member States should only use 'proven' solutions and enforcement procedures should be harmonised between the EU Member States. It should be left to Member States to decide how many vehicles should be pre-selected for controls taking into account the number of these vehicles registered and/or operating on their territory.

Amendment 113
Markus Ferber

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. Some devices may be installed onboard heavy goods vehicles and give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices may also use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. The pre-selection should ***have a minimum threshold of one weighing per 2 000 vehicle kilometres*** to ensure the effectiveness of the roadside checks on the territory of the Union, ***because this would allow every vehicle to be checked on a statistical average of every three days.***

Amendment

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. Some devices may be installed onboard heavy goods vehicles and give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices may also use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. ***All inspection systems and all technical requirements should be harmonised throughout Europe. Rules governing systems for installation in commercial vehicles should form a mandatory part of type approval procedures for all commercial vehicles.*** The pre-selection should ***be applied to at least []% of the vehicles covered by these rules on the Member State's territory*** to ensure the effectiveness of the roadside checks on the territory of the Union. ***Vehicles that are not registered in its territory should be included in the inspection quota in proportion to their contribution to the total volume of traffic.***

Or. de

Justification

There are differing technical standards for inspection systems in the various Member States. To obtain comparable measurements throughout Europe, mandatory requirements must be imposed to that effect. Pre-selection for measurements must be adjusted in line with the amendment on frequency of checks in technical roadside inspections.

Amendment 114
Silvia-Adriana Țicău

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. Some devices may be installed onboard heavy goods vehicles and give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices *may* also use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. The pre-selection should have a minimum threshold of one weighing per 2 000 vehicle kilometres to ensure the effectiveness of the roadside checks on the territory of the Union, because this would allow every vehicle to be checked on a statistical average of every three days.

Amendment

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. Some devices may be installed onboard heavy goods vehicles and give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices *are also able to* use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. The pre-selection should have a minimum threshold of one weighing per 2 000 vehicle kilometres to ensure the effectiveness of the roadside checks on the territory of the Union, because this would allow every vehicle to be checked on a statistical average of every three days.

Or. ro

Amendment 115
Phil Bennion

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the

Amendment

(13) Simple technological solutions, fixed or mobile, are now available that allow inspectors to preselect vehicles suspected of infringements without stopping the

vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. *Some* devices *may* be installed onboard heavy goods vehicles *and* give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices may also use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. The pre-selection should have a minimum threshold of one weighing per 2 000 vehicle kilometres to ensure the effectiveness of the roadside checks on the territory of the Union, because this would allow every vehicle to be checked on a statistical average of every three days.

vehicles in question, which is less disadvantageous in terms of traffic flow, less onerous and allows optimal safety conditions. *In addition, where appropriate*, devices *should* be installed onboard heavy goods vehicles *to* give the driver a way of checking whether his or her vehicle is compliant with the law. These onboard devices may also use a microwave communication interface to communicate their data to officials or to roadside automatic inspection systems without stopping the vehicle. The pre-selection should *be based on a risk-rating system to ensure an efficiency of the checks*, and have a minimum threshold of one weighing per 2 000 vehicle kilometres to ensure the effectiveness of the roadside checks on the territory of the Union, because this would allow every vehicle to be checked on a statistical average of every three days.

Or. en

Justification

Commercial vehicles operators should install in the registered vehicles onboard weighing devices to allow a driver to check whether his/her vehicle is compliant with the law.

Amendment 116 **Phil Bennion**

Proposal for a directive **Recital 14**

Text proposed by the Commission

(14) The observation of a high number of infringements of the provisions of Directive 96/53/EC is to a large extent due to the non-deterrent level of penalties prescribed by Member States' legislation for violations of these rules, or even the absence of any such penalties. This weak point is further compounded by the wide variety in the levels of administrative

Amendment

(14) The observation of a high number of infringements of the provisions of Directive 96/53/EC is to a large extent due to the non-deterrent level of penalties prescribed by Member States' legislation for violations of these rules, or even the absence of any such penalties. This weak point is further compounded by the wide variety in the levels of administrative

penalties applicable in the different Member States. To remedy these weak points, the levels and categories of administrative penalties for infringements of Directive 96/53/EC should be approximated at Union level. These administrative penalties should be effective, proportionate *and dissuasive*.

penalties applicable in the different Member States. To remedy these weak points, the levels and categories of administrative penalties for infringements of Directive 96/53/EC should be approximated at Union level. These administrative penalties should be effective, proportionate, *dissuasive and non-discriminatory*.

Or. en

Amendment 117
Patricia van der Kammen

Proposal for a directive
Recital 14

Text proposed by the Commission

(14) The observation of a high number of infringements of the provisions of Directive **96/53/EC** is to a large extent due to the non-deterrent level of penalties prescribed by Member States' legislation for violations of these rules, or even the absence of any such penalties. This weak point is further compounded by the wide variety in the levels of administrative penalties applicable in the different Member States. To remedy these weak points, the levels and categories of administrative penalties for infringements of Directive **96/53/EC** should be approximated at Union level. These administrative penalties should be effective, proportionate and dissuasive.

Amendment

(14) The observation of a high number of infringements of the provisions of Directive **2002/7/EC** is to a large extent due to the non-deterrent level of penalties prescribed by Member States' legislation for violations of these rules, or even the absence of any such penalties. This weak point is further compounded by the wide variety in the levels of administrative penalties applicable in the different Member States. To remedy these weak points, the levels and categories of administrative penalties for infringements of Directive **2002/7/EC** should be approximated at Union level. These administrative penalties should be effective, proportionate and dissuasive.

Or. nl

Amendment 118
Patricia van der Kammen

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) The inspection authorities in the Member States must be able to exchange information to make checking the weight of vehicles or vehicle combinations more effective at international level, and to facilitate the smooth operation of these checks, in particular the identification of offenders, the description of offences and penalties applied, and the state of good repute of the undertaking concerned. ***The contact point designated in accordance with Article 18(1) of Regulation 1071/2009/EC 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/EC⁹ could serve as a relay for this exchange of information.***

⁹ OJ L 300, 14.11.2009, p. 51.

Amendment

(15) The inspection authorities in the Member States must be able to exchange information to make checking the weight of vehicles or vehicle combinations more effective at international level, and to facilitate the smooth operation of these checks, in particular the identification of offenders, the description of offences and penalties applied, and the state of good repute of the undertaking concerned.

Or. nl

Amendment 119
Patricia van der Kammen

Proposal for a directive
Recital 16

Text proposed by the Commission

(16) The European Parliament and the Council should be regularly informed of the checks on road traffic carried out by the Member States. This information, provided by the Member States, will enable the Commission to ensure compliance with this Directive by hauliers

Amendment

deleted

and to define whether or not additional coercive measures should be developed.

Or. nl

Amendment 120
Phil Bennion

Proposal for a directive
Recital 16

Text proposed by the Commission

(16) The European Parliament and the Council should be regularly informed of the checks on road traffic carried out by the Member States. This information, provided by the Member States, will enable the Commission to ensure compliance with this Directive by hauliers and to define whether or not additional coercive measures should be developed.

Amendment

(16) The European Parliament and the Council should be regularly informed of the checks on road traffic carried out by the Member States. This information, provided by the Member States ***through their contact point***, will enable the Commission to ensure compliance with this Directive by hauliers and to define whether or not additional coercive measures should be developed.

Or. en

Amendment 121
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Recital 16

Text proposed by the Commission

(16) The European Parliament and the Council should be ***regularly*** informed of the checks on road traffic carried out by the Member States. This information, provided by the Member States, will enable the Commission to ensure compliance with this Directive by hauliers and to define whether or not additional coercive measures should be developed.

Amendment

(16) The European Parliament and the Council should be informed of the ***regularly occurring*** checks on road traffic carried out by the Member States. This information, provided by the Member States, will enable the Commission to ensure compliance with this Directive by hauliers and to define whether or not additional coercive measures should be developed.

Amendment 122
Patricia van der Kammen

Proposal for a directive
Recital 17

Text proposed by the Commission

Amendment

(17) The Commission should be empowered to adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, to define the requirements imposed on new aerodynamic devices placed in the rear of the vehicle or the design of new motor vehicles, as well as the technical specifications to ensure full interoperability of onboard weighing devices, and guidelines on the procedures for checking the weight of vehicles in circulation. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, shall ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

deleted

Amendment 123
Dieter-Lebrecht Koch

Proposal for a directive
Recital 17

Text proposed by the Commission

Amendment

(17) The Commission should be

(17) The Commission should be

empowered to adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, to define the requirements imposed on new aerodynamic devices placed in the rear of the vehicle or the design of new motor vehicles, as well as the technical specifications to ensure full interoperability of onboard weighing devices, and guidelines on the procedures for checking the weight of vehicles in circulation. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, shall ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

empowered to adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, to define the requirements imposed on new aerodynamic **and underrun protective** devices placed **at the sides and** in the rear of the vehicle or the design of new motor vehicles, as well as the technical specifications to ensure full interoperability of onboard weighing devices, and guidelines on the procedures for checking the weight of vehicles in circulation. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, shall ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Or. de

Amendment 124
Phil Bennion

Proposal for a directive
Recital 17

Text proposed by the Commission

(17) The Commission should be empowered to adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, to define the requirements imposed on new aerodynamic devices placed in the rear of the vehicle or the design of new motor vehicles, as well as the technical specifications to ensure full interoperability of onboard weighing devices, and guidelines on the procedures for checking the weight of vehicles in circulation. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert

Amendment

(17) The Commission should be empowered to adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, to define the requirements imposed on new aerodynamic devices placed in the rear of the vehicle or the design of new motor vehicles, **with a view of reviewing European type approval procedures as referred to in Directive 2007/46/EC within the framework of UNECE regulations**, as well as the technical specifications to ensure full interoperability of onboard weighing devices, and guidelines on the procedures for checking the weight of

level. The Commission, when preparing and drawing-up delegated acts, shall ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

vehicles in circulation. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, shall ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Or. en

Amendment 125
Philippe De Backer

Proposal for a directive
Recital 17

Text proposed by the Commission

(17) The Commission should be empowered to adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, to define the requirements imposed on new aerodynamic devices placed in the rear of the vehicle or the design of new motor vehicles, as well as the technical specifications to ensure full interoperability of onboard weighing devices, and guidelines on the procedures for checking the weight of vehicles in circulation. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, shall ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Amendment

(17) The Commission should be empowered to adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, to define the requirements imposed on new aerodynamic devices placed in the rear of the vehicle or the design of new motor vehicles, as well as the technical specifications to ensure full interoperability of onboard weighing devices, and guidelines on the procedures for checking the weight of vehicles in circulation. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert level. ***The consultations should include the major stakeholders such as truck manufacturers and body and trailer builders.*** The Commission, when preparing and drawing-up delegated acts, shall ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council. ***The stakeholders should be left sufficient time to comply with these***

requirements.

Or. en

Amendment 126
Patricia van der Kammen

Proposal for a directive
Recital 18

Text proposed by the Commission

Amendment

(18) Since the objectives of this Directive cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of this Directive, be better achieved at Union level, the Union may take the necessary measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in the same Article, this Directive does not exceed what is necessary in order to achieve that objective.

deleted

Or. nl

Amendment 127
Inés Ayala Sender

Proposal for a directive
Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) Should any change be made to the weights and measurements provided for in this Regulation, this should be done in a harmonised manner and a time frame provided for their entry into force, to enable businesses to renew their vehicle fleet without giving rise to distortions of

competition in the market.

Or. es

Amendment 128
Patricia van der Kammen

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) Directive **96/53/EC** should therefore be amended accordingly,

Amendment

(19) Directive **2002/7/EC** should therefore be amended accordingly,

Or. nl

Amendment 129
Patricia van der Kammen

Proposal for a directive
Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

Directive **96/53/EC** is hereby amended as follows:

Amendment

Directive **2002/7/EC** is hereby amended as follows:

Or. nl

Amendment 130
Corien Wortmann-Kool

Proposal for a directive
Article 1 – paragraph 1 – point 1 – indent 1
Directive 96/53/EC
Article 2 – subparagraph 1

Text proposed by the Commission

– ‘*hybrid propulsion vehicle*’ means *a vehicle within the meaning of Directive*

Amendment

– ‘*alternative fuels*’ means *fuels which provide a substitute for fossil oil sources*

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 vehicles¹⁰, equipped with one or more traction motor(s) operated by electric power and not permanently connected to the grid and one or more traction motor(s) operated by internal combustion;

in the energy supply to transport and which have the potential to contribute to the decarbonisation of transport. They include:

- electricity,*
- hydrogen,*
- biofuels as defined in Directive 2009/28/EC of the European Parliament and of the Council,*
- synthetic fuels,*
- natural gas, including biomethane, in gaseous form (compressed natural gas – CNG) and liquefied form (liquefied natural gas – LNG),*
- liquefied petroleum gas (LPG), and – waste heat.*

¹⁰ *OJ L 263, 9.10.2007, p. 1.*

Or. en

Amendment 131
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 1 – indent 2 a (new)
Directive 96/53/EC
Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

- ‘low carbon technology’ means an innovative technology where the CO2 savings can be demonstrated

Justification

The extra length allowed within the framework of this directive should be used to stimulate the development of innovative technologies reducing CO2 emissions of heavy-goods vehicles

Amendment 132**Bogdan Kazimierz Marcinkiewicz****Proposal for a directive****Article 1 – paragraph 1 – point 1 – indent 3**

Directive 96/53/EC

Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

– ‘intermodal transport unit’ means a unit belonging to one of the following categories: container, swap body, semi-trailer;

Amendment

‘intermodal transport unit’ means a unit belonging to one of the following categories: container, swap body, semi-trailer, **truck**;

Or. pl

Justification

The scope of the proposed definition is limited to containers, swap bodies and semi-trailers, and does not take into account, for example, trucks transported by rail. There is a risk that this definition could in future be extended to other areas, which would prevent the transport of trucks by train being treated as intermodal transport, unless the trucks were connected to trailers or swap bodies.

Amendment 133**Corien Wortmann-Kool****Proposal for a directive****Article 1 – paragraph 1 – point 1 – indent 3**

Directive 96/53/EC

Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

– ‘intermodal **transport** unit’ means a unit belonging to one of the following categories: container, swap body, semi-

Amendment

– ‘intermodal **loading** unit’ means a unit belonging to one of the following categories: container, swap body, semi-

trailer;

trailer;

Or. en

Justification

Intermodal loading unit is more commonly used in the sector.

Amendment 134
Jörg Leichtfried

Proposal for a directive

Article 1 – paragraph 1 – point 1 – indent 3 a (new)

Directive 96/53/EC

Article 2 – paragraph 1 – subparagraph 1 – indent 12 a (new)

Text proposed by the Commission

Amendment

- ‘alternative fuels’ means fuels which provide a substitute for fossil oil sources in the energy supply to transport and which have the potential to contribute to the decarbonisation of transport. They include:

- electricity,

- hydrogen,

- synthetic fuels,

- natural gas, including biomethane, in gaseous form (compressed natural gas – CNG) and liquefied form (liquefied natural gas – LNG),

- liquefied petroleum gas (LPG), and

- waste heat.

Or. de

Justification

In order to define the term ‘alternative motor vehicle’ in a technologically neutral way, it is useful to define ‘alternative fuels’ first.

Amendment 135
Jörg Leichtfried

Proposal for a directive

Article 1 – paragraph 1 – point 1 – indent 3 b (new)

Directive 96/53/EC

Article 2 – paragraph 1 – subparagraph 1 – indent 12 b (new)

Text proposed by the Commission

Amendment

- ‘combined transport’ means the transport of goods between member states where the lorry, trailer, semi-trailer, with or without tractor unit, swap body or container of 20 feet or more uses the road on the initial or final leg of the journey and, on the other leg, rail or inland waterway or maritime services where this section exceeds 100 km and make the initial or final road transport leg of the journey;

- between the point where the goods are loaded and the nearest suitable rail loading station for the initial leg, and between the nearest suitable rail unloading station and the point where the goods are unloaded for the final leg, or;

- within a radius not exceeding 150 km from the inland waterway port or seaport of loading or unloading.

Or. en

Justification

Correction of amendment in draft report (words missing from the definition). The existing definition of ‘combined transport’ according to Directive 1992/106 should be used throughout the text instead of introducing the new term of ‘intermodal transport’.

Amendment 136
Corien Wortmann-Kool

Proposal for a directive

Article 1 – paragraph 1 – point 1 – indent 3 b (new)

Text proposed by the Commission

Amendment

- Combined transport means the transport of goods where the lorry, trailer, semi-trailer, with or without tractor unit, swap body or container uses the road on the initial and final leg of the journey and, on the other leg, rail or inland waterway or maritime services where this section exceeds 100 km and makes the initial and final road transport leg of the journey:

- Between the point where the goods are loaded and the nearest suitable rail loading station for the initial leg, and between the nearest suitable rail unloading station and the point where the goods are unloaded for the final leg, or

- Within a radius not exceeding 150 km from the inland waterway port or seaport of loading or unloading.

Or. en

Justification

Combined transport is always a 2 leg operation: road transport on the initial leg (to drive from the place of loading to a terminal) and road transport on the final leg (to drive from the terminal to the place of destination). Limiting road transport to only a 1 leg operation would mean that entrepreneurs and shippers should have to dispose of a direct harbour/railway connection to make use of the combined transport directive which is hardly the case in the EU.

Amendment 137

Michel Dantin, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

(2) Article 4 is amended as follows:

deleted

(a) The word ‘national’ is deleted from

points (a) and (b) of paragraph 1.

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase:

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled.’

Or. fr

Amendment 138
Ismail Ertug

Proposal for a directive

Article 1 – paragraph 1 – point 2 – introductory part

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(2) Article 4 *is amended as follows:*

(2) *In Article 4(4), the following subparagraph is inserted after the second subparagraph:*

‘Without prejudice to Member States’ rights laid down in Acts on Accession to the Union, international transport operations carried out by vehicles or vehicle combinations with dimensions deviating from those laid down in Annex I shall be prohibited. Member States that have already permitted such deviations in vehicle dimensions may continue to do so in respect of national transport operations.’

Or. de

Justification

Makes it clear that the use of vehicles of excess length or excess weight for international transport operations may not be permitted under the rules. The use of such vehicles could undermine the agreed objectives set out in the white paper. A thorough prior impact assessment is therefore necessary, including assessment of the impact on modal shift, safety, infrastructure, social and working conditions, SMEs, logistics, air pollution, noise, etc.

Amendment 139 **Hubert Pirker**

Proposal for a directive

Article 1 – paragraph 1 – point 2 – introductory part

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(2) Article 4 *is amended as follows*:

(2) ***In Article 4(4), the following subparagraph is inserted after subparagraph 2:***

‘Without prejudice to Member States’ rights laid down in Acts on Accession to the Union, in order to ensure the proper functioning of the EU single market, the use of commercial vehicles exceeding the maximum dimensions and weights stipulated in this Directive shall be permissible only on specified roads and subject to an application procedure within a given Member State. When assessing applications, Member States shall have regard in particular to factors such as the existing infrastructure and road safety requirements.’

Or. de

Justification

This clarification is necessary to highlight once more the objective of this Directive, which is to ensure that maximum permissible dimensions and weights are laid down throughout Europe with a view to a functioning single market. Contraventions distort competition and thus harm the single market.

Amendment 140
Artur Zasada

Proposal for a directive

Article 1 – paragraph 1 – point 2 – introductory part

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

2) Article 4 *is amended as follows*:

2) *In article 4,(4), the following subparagraph is inserted after the second subparagraph:*

‘Cross-border use of vehicle combinations with dimensions deviating from those laid down in Annex I, in points 1.1, 1.2 to 1.8, 4.2 and 4.4, shall be prohibited. The European Commission is invited to undertake a thorough study on the potential impact of cross-border circulation of longer and heavier trucks on the European transport system and in particular on international competition.’

Or. en

Amendment 141
Franco Frigo, David-Maria Sassoli

Proposal for a directive

Article 1 – paragraph 1 – point 2 – introductory part

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(2) *Article 4 is amended as follows*:

(2) *In Article 4(4), the following subparagraph is inserted after the second subparagraph: ‘The cross-border use of vehicles with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex I, in keeping with the aim of the first paragraph, shall be prohibited.’*

Justification

The aim of the amendment is to clarify that the purpose of Directive 96/53/EC was never to permit the cross-border use of so-called modular concept vehicles. Indeed, the cross-border use of these vehicles runs counter to the main policy objectives of the Union, including those listed in the White Paper relating to modal shift, safety, SMEs, pollution, etc.

Amendment 142
Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 2 – introductory part

Directive 96/53/EC

Article 4

Text proposed by the Commission

(2) Article 4 is amended as follows:

Amendment

(2) Article 4 is amended as follows:

Member States may nonetheless, under strict conditions and subject to checks, allow the circulation on their territory of vehicles or vehicle combinations for the national transport of goods freight which are not in conformity with the characteristics set out in points 1.3, 2, 3 and 4.3 of Annex I. Member States that do not allow the use on their territory of such vehicles or vehicle combinations not in conformity with the characteristics set out in points 1.3, 2, 3 and 4.3 of Annex I may also prohibit the circulation of non-national commercial vehicles.

Or. de

Amendment 143
Nathalie Griesbeck, Robert Rochefort

Proposal for a directive

Article 1 – paragraph 1 – point 2 – introductory part

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(2) Article 4 *is amended as follows*:

(2) *In Article 4(4), the following subparagraph is inserted after the second subparagraph:*

'Without prejudice to Member States' rights laid down in Acts on Accession to the Union, international transport operations carried out by vehicles or vehicle combinations with dimensions deviating from those laid down in Annex I shall be prohibited.'

Or. fr

Amendment 144

Ismail Ertug

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point a

Text proposed by the Commission

Amendment

(a) The word 'national' is deleted from points (a) and (b) of paragraph 1.

deleted

Or. de

Amendment 145

Michel Dantin, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point a

Text proposed by the Commission

Amendment

(a) The word 'national' is deleted from points (a) and (b) of paragraph 1.

deleted

Or. fr

Amendment 146
Brian Simpson

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a

Text proposed by the Commission

Amendment

(a) The word ‘national’ is deleted from points (a) and (b) of paragraph 1. *deleted*

Or. en

Amendment 147

Petri Sarvamaa, Eija-Riitta Korhola, Sari Essayah, Anne E. Jensen, Hannu Takkula, Christofer Fjellner, Anna Ibrisagic, Gunnar Hökmark, Alf Svensson, Nils Torvalds, Anneli Jäätteenmäki, Anna Maria Corazza Bildt, Bendt Bendtsen

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a
Directive 96/53/EC
Article 4 – paragraph 2

Text proposed by the Commission

Amendment

(a) The word ‘national’ is deleted from points (a) and (b) of paragraph 1. *(a) The word ‘national’ is deleted from points (a) and (b) of paragraph 2.*

Or. en

Justification

Expressly allowing cross-border transport of goods with longer, but maintaining prohibition of cross-border transport with heavier and/or higher vehicles is too restrictive. It would be inconsistent to restrict operations with heavier or higher vehicles to national operations on both sides of a border while allowing cross-border transport with longer vehicles.

Amendment 148
Silvia-Adriana Țicău

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a
Directive 96/53/EC
Article 4 – paragraph 1

Text proposed by the Commission

(a) The word ‘national’ is deleted from **points (a) and (b)** of paragraph 1.

Amendment

(a) The word ‘national’ is deleted from **point (a)** of paragraph 1.

Or. ro

Amendment 149
Peter van Dalen

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a a (new)
Directive 96/53/EC
Article 4 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) (a) The following paragraph 2a shall be inserted:

(aa) ‘Member States shall permit road vehicles, including combination vehicles, which do not comply with the specifications contained in points 1.3, 2, 3, 4.1 and/or 4.3 of Annex I to be used for a cross-border operation between neighbouring Member States which have adopted measures in application of this paragraph;’

Or. nl

Amendment 150
Corien Wortmann-Kool, Philippe De Backer, Mathieu Grosch, Gesine Meissner, Dieter-Lebrecht Koch

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a a (new)
Directive 96/53/EC
Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

(aa) The first phrase of Article 4(4) is

replaced by the following phrase:
'Member States may allow vehicles or vehicle combinations used for goods transport which carry out certain transport operations that do not significantly affect international competition in the transport sector to circulate in their territories with weights and dimensions deviating from those laid down in points 1, 2, and 4 of Annex 1.'

Or. en

Amendment 151
Herbert Dorfmann, Richard Seeber

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase:

deleted

'Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:'

Or. de

Amendment 152
Ismail Ertug

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase: ***deleted***

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:’

Or. de

Amendment 153
Michel Dantin, Dominique Riquet

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase: ***deleted***

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:’

Or. fr

Amendment 154

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase: ***deleted***

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:’

Or. en

Amendment 155

Sabine Wils

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase: ***deleted***

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph,

and if one of the conditions under (a) and (b) is fulfilled:’

Or. en

Justification

There is no basis for saying that limiting cross-border operations to two Member States would not have a significant impact on international competition, and any deviations from standard weights and dimensions should remain a purely national issue.

Amendment 156

Nathalie Griesbeck, Robert Rochefort

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase: ***deleted***

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:’

Or. fr

Amendment 157

Phil Bennion

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b – introductory part

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

(b) The first phrase of the second subparagraph of Article 4(4) is replaced by the following phrase:

(b) In Article 4(4) – subparagraph 1 is amended as follows:

Member States may only allow vehicles or vehicle combinations used for goods transport which carry out certain national transport operations that do not affect significantly international competition in the transport sector and the environmental and safety objectives of the European Union, to circulate in their territory with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex I :

Or. en

Justification

A derogation should only be allowed if it does not impact the smooth operation of the single market and if it does not contradict the environmental and safety objectives of the EU set in the relevant legislations, such as for instance the objectives set under the Connecting Europe and the Transeuropean Transport networks programme

Amendment 158
Hubert Pirker

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b
Directive 96/53/EC
Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and

deleted

(b) is fulfilled:’

Or. de

Justification

This provision needs to be deleted because its application is based simply on a Commission decision without any impact assessment or analysis with relevant data.

Amendment 159

Brian Simpson

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled: **deleted**

Or. en

Amendment 160

Georges Bach, Bogusław Liberadzki

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Transport operations shall be considered to not significantly affect international **deleted**

competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:

Or. en

Justification

This is an assumption of the Commission which needs to be proved by an impact assessment including all the potential effects and consequences of a general use of LHV in international road transport.

Amendment 161

Bogdan Kazimierz Marcinkiewicz

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Transport operations shall be considered *to* not significantly affect international competition in the transport sector if *they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if* one of the conditions under (a) and (b) is fulfilled:

Transport operations shall be considered not significantly *to* affect international competition in the transport sector if one of the conditions under (a) and (b) is fulfilled:

Or. pl

Justification

Allowing crossborder circulation of non-standard vehicles is contrary to the main objective of the directive, which is to determine for certain road vehicles the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic.

Amendment 162
Oldřich Vlasák

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:

Amendment

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled. ***In the case of transport operations on the territory of a single Member State, as well as in the case of the aforementioned cross-border operations, the Member States affected may restrict such operations – in a non-discriminatory manner – to only the selected infrastructure. The Member States shall, in such a case, be obliged to inform carriers of such restrictions adequately and as far in advance as possible.***

Or. cs

Justification

For reasons of traffic safety and maintaining the state of infrastructure, the Member States must have the option of restricting the movement of oversized loads to infrastructure that is suitable for such traffic.

Amendment 163

Petri Sarvamaa, Hannu Takkula, Eija-Riitta Korhola, Sari Essayah, Anne E. Jensen, Nils Torvalds, Anneli Jäätteenmäki, Gunnar Hökmark, Christofer Fjellner, Anna Ibrisagic, Jim Higgins, Alf Svensson, Anna Maria Corazza Bildt, Bendt Bendtsen

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between **only two** neighbouring Member States who have **both** adopted measures **taken in application of this paragraph, and if** one of the conditions under (a) and (b) is fulfilled:

Amendment

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between neighbouring Member States who have adopted measures **under this, and if, as regards dimensions**, one of the conditions under (a) and (b) is fulfilled:

Or. en

Amendment 164

Marita Ulvskog, Ole Christensen, Liisa Jaakonsaari

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between **only two neighbouring** Member States who have **both** adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:

Amendment

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between Member States who have adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:

Or. sv

Amendment 165
Peter van Dalen

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between **only two** neighbouring Member States who have **both** adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled.’

Amendment

‘Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between neighbouring Member States who have adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled.’

Or. nl

Amendment 166
Silvia-Adriana Țicău

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:

Amendment

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States who have both adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled. ***When allowing such vehicles and vehicle combination to operate cross-border each Member State shall determine the road network where it is***

allowed to use them. This road network should be part of the TEN-T networks, in the sense of the Regulation 2013/...UE (Regulation regarding Union guidelines for the development of the trans-European transport network).

Or. en

Amendment 167

Corien Wortmann-Kool, Gesine Meissner, Mathieu Grosch, Philippe De Backer, Dieter-Lebrecht Koch

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between **only two** neighbouring Member States who have **both** adopted measures taken in application of this paragraph, and if one of the conditions under (a) and (b) is fulfilled:

Amendment

In line with the subsidiarity principle transport operations ***using vehicles or vehicle combinations with dimensions and weights deviating from those laid down in points 1, 2, 3, and 4 of Annex I*** shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a ***competent authority of a*** Member State or, for a cross-border operation, ***shall be allowed, between two or several competent authorities of*** neighbouring Member States, who have adopted measures taken in application of this paragraph, and if one of the conditions, under (a) and (b) is fulfilled. ***Competent authorities of Member States shall determine specific requirements to the vehicle, the infrastructure and the driver in order to assure an adequate level of safety. The cross-border use of these vehicles should be backed by bilateral or multilateral agreements between the Member States concerned specifying the routes and other conditions that need to be met.***

Amendment 168
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b
Directive 96/53/EC
Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Transport operations shall be considered to not significantly affect international competition in the transport sector if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States **who** have both adopted measures **taken in application of this paragraph, and if one of the conditions under (a) and (b) is** fulfilled:

Amendment

Transport operations shall be considered to not significantly affect international competition in the transport sector **and the environmental and safety objectives of the European Union** if they take place on the territory of a Member State or, for a cross-border operation, between only two neighbouring Member States **if the conditions under (a) are fulfilled, or if they** have both adopted measures **as referred to in Article 4a (new) and** the conditions under **(b) are** fulfilled:

Justification

To prevent distortion of the single market within an area of freedom of movement, common requirements shall be laid down for the crossborder use of longer vehicles. It however does not apply to the sector of forestry and logging in concerned Member States.

Amendment 169
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b a (new)
Directive 96/53/EC
Article 4 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

(ba) The following paragraph is added to

article 4:

(7a) No later than [three years from the date of publication of this Directive], the Commission shall submit a report to the European Parliament and the Council on the application of article 4 and 4a (new). The report shall assess if the provisions under article 4 contradict the safety and environmental objectives of the Union and if article 4a (new) needs to be adapted in line with new technological developments. The report shall be accompanied by a legislative proposal if appropriate.

Or. en

Amendment 170
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b b (new)
Directive 96/53/EC
Article 4 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

(bb) The following paragraph is added to article 4 :

7b. Two neighbouring Member States may authorise vehicles or vehicle combinations used for goods transport to circulate in their territory for a cross-border operation, with dimensions exceeding those laid down in point 1.3 of Annex 1, provided that their use is notified to the European Commission before the adoption of this Directive.

Or. en

Amendment 171
Ismail Ertug, Brian Simpson

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b a (new)

Directive 96/53/EC

Article 4 – paragraph 5

Text proposed by the Commission

Amendment

(ba) Article 4(5) is replaced by the following:

‘(5) Member States may allow vehicles or vehicle combinations incorporating new technologies or new concepts which cannot comply with one or more requirements of this Directive to be used for a trial period subject to the following conditions:

- the transport operations in question shall be confined to strictly designated local areas within the territory of the Member State in question;

- the duration of the trial shall be limited to 24 months;

- the trial shall be scientifically monitored and the trial vehicles’ impact shall be studied in relation to the following aspects: infrastructure, road safety, modal shift, compatibility with existing combined transport provision, the environment, drivers’ working conditions and public acceptance;

- an official report on the conduct of the trial and the findings of the scientific monitoring shall be submitted to the Commission annually;

- the Commission shall publish these reports.

Member States shall give the Commission advance notice of trials that they intend to conduct. The Commission shall ensure that the trials are permissible having regard to the conditions outlined above. The Commission shall refuse to allow trials which are incompatible with this Directive or with the rules of international

competition. The Commission shall inform the European Parliament of its decisions in this regard.'

Or. de

Justification

Member States may continue to allow trials involving vehicles that deviate from the permissible dimensions and weights. The trials must be conducted in such a way that they do not undermine international competition or negatively affect the internal market. The imposition of framework conditions is a means of ensuring that the trial period actually yields new findings. The results of trials should be made accessible to the EU, the Member States and the public.

Amendment 172

Petri Sarvamaa, Hannu Takkula, Eija-Riitta Korhola, Sari Essayah, Nils Torvalds, Anneli Jäätteenmäki

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b a (new)

Directive 96/53/EC

Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(ba) The following paragraph is added to Article 4:

(3a) Commission should come up with a proposal for a harmonised approach for procedures for issuing special permits by competent authorities in different member states and/or regions allowing indivisible loads to circulate.

Or. en

Amendment 173

Peter van Dalen

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 96/53/EC

Article 4 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(2a) The following Article 4(5a) shall be inserted:

(5a) ‘Member States may permit cross-border transport by vehicles, including combination vehicles, which do not comply with the specifications contained in points 1, 2, 3 and 4 of the Annex, provided that Member States do not discriminate among the Member States where the vehicles concerned are registered. Member States shall designate the sections of the road network on which these vehicles or combination vehicles are permitted. This information shall be publicly accessible.’

Or. nl

Amendment 174

Brian Simpson, Georges Bach

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

2 a) In Article 4 – paragraph 4 – the following subparagraph is inserted after the second subparagraph:

Without prejudice to Member States’ rights laid down in acts on accession to the union, international transport operations carried out by vehicles or vehicle combinations with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex 1 shall be prohibited.

Or. en

Justification

To align with the structure and objective of Article 4(1)

Amendment 175

Dieter-Lebrecht Koch

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 96/53/EC

Article 4 – paragraph 5

Text proposed by the Commission

Amendment

(2a) Article 4(5) is replaced by the following:

(5) Member States shall be encouraged to allow vehicles and vehicle combinations incorporating new technologies or new concepts which cannot comply with one or more requirements of this Directive to carry out certain local transport operations for a trial period. Member States shall inform the Commission thereof.

Or. xm

Amendment 176

Michel Dantin, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(2a) In Article 4(4), the following subparagraph is inserted after the second subparagraph:

'Without prejudice to Member States' rights laid down in Acts on Accession to the Union, international transport by

vehicles or vehicle combinations of a length, and weight in excess of 44 tonnes, not in conformity with the dimensions laid down in Annex I to this Directive shall be prohibited.'

Or. fr

Amendment 177

Marita Ulvskog, Ole Christensen, Liisa Jaakonsaari

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 96/53/EC

Article 4 – paragraph 2

Text proposed by the Commission

Amendment

(2a) Article 4(2) of Directive 96/53/EC is amended as follows:

New second paragraph:

"Cross-border transport operations by vehicles or vehicle combinations for the transport of goods that do not meet the requirements of point 2 of Annex I are allowed between Member States that have taken measures to authorise such derogations".

Or. sv

Amendment 178

Marita Ulvskog, Ole Christensen, Liisa Jaakonsaari

Proposal for a directive

Article 1 – paragraph 1 – point 2 b (new)

Directive 96/53/EC

Article 4 – paragraph 4

Text proposed by the Commission

Amendment

(2b) The first paragraph of Article 4(4) of Directive 96/53/EC is amended as follows:

"4. Member States may allow vehicles or vehicle combinations used for transport which carry out certain transport operations that do not significantly affect international competition in the transport sector to circulate in their territory with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex I."

Or. sv

Amendment 179
Philip Bradbourn

Proposal for a directive
Article 1 – paragraph 1 – point 3

Text proposed by the Commission

3) Article 4(6), Article 5(b) and Article 8a are deleted.

Amendment

3) Article 4(6) ***is modified as follows:***

The competent authorities of neighbouring Member States may authorise cross-border operations using vehicles or vehicle combinations with dimensions and weights deviating from those laid down in points 1, 2, 3, and 4 of Annex 1 provided that they do not discriminate on grounds of Member State of registration of the tractor, trailer or semi-trailer. These competent authorities ('may' or 'shall') define the routes on which the vehicles or vehicle combinations with dimensions and weights deviating from those laid down in points 1, 2, 3, and 4 of Annex 1 are allowed to circulate. Member States shall inform the Commission thereof and will render this information available to the public.

Article 5(b) and Article 8a are deleted.

Or. en

Amendment 180

Jim Higgins, Phil Prendergast, Jacqueline Foster

Proposal for a directive

Article 1 – paragraph 1 – point 3

Text proposed by the Commission

3) Article 4(6), Article 5(b) and Article 8a are deleted.

Amendment

3) Article 4(6) **is modified in the following manner: The competent authorities of neighbouring Member States can authorise cross-border transport operations using vehicles or vehicle combinations with dimensions and weights deviating from those laid down in points 1, 2, 3, and 4 of Annex 1 provided that they do not discriminate on grounds of Member State of registration of the tractor, trailer or semi-trailer. These competent authorities can define the routes on which the vehicles or vehicle combinations with dimensions and weights deviating from those laid down in points 1, 2, 3, and 4 of Annex 1 are allowed to circulate. Provision can be made for Member States to inform the Commission thereof;** Article 5(b) and Article 8a are deleted.

Or. en

Justification

Member States whose respective infrastructure allows for vehicle heights of above 4 metres should be allowed to engage in cross border trade. This should never be discriminatory on the basis of the country of registration, nor should it oblige member states who wish to restrict vehicles to a maximum of 4 metres to accept vehicles above this height.

Amendment 181

Dieter-Lebrecht Koch

Proposal for a directive

Article 1 – paragraph 1 – point 3 a (new)

Directive 96/53/EC
Article 4 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

(3a) The following paragraph 4 (6a) is added to Article 4:

(6a) The Commission shall be empowered, in the light of information received pursuant to Article 4(5), to require for the approval in principle of such vehicles specifications that confer a road safety or environmental benefit.

Or. xm

Amendment 182
Georges Bach, Bogusław Liberadzki

Proposal for a directive
Article 1 – paragraph 1 – point 4 a (new)
Directive 96/53/EC
Article 4 – paragraph 5

Text proposed by the Commission

Amendment

(4a) The following is added to Article 4.5 of the directive:

In order to establish these trial periods, following conditions need to be fulfilled:

- the trial period shall not be longer than 5 years,

- the transport operations shall take place in a local, well-defined area of the territory of the Member State,

- the trial needs to be officially monitored taking into account impacts on infrastructure, road safety, modal split and environment,

- an official report of the monitoring results of the trial should be sent to the Commission and made publicly available.

Justification

In order to bring efficient results on EU level, trial periods established by Members States need to fulfil certain conditions and have to be monitored.

Amendment 183

Petri Sarvamaa, Hannu Takkula, Eija-Riitta Korhola, Sari Essayah, Anne E. Jensen, Nils Torvalds, Anneli Jäätteenmäki, Anna Ibrisagic, Gunnar Hökmark, Christofer Fjellner, Alf Svensson, Anna Maria Corazza Bildt, Bendt Bendtsen

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Directive 96/53/EC

Article 4 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

(5a) The following paragraph 7a. is added to Article 4:

7a. Neighbouring Member States that on a permanent basis since Directive 96/53/EC entered into force allow road transport of goods with vehicles or vehicle combinations with weights and/or dimensions deviating from Annex 1 as provided in Article 4.1 a) and 4.2 a) and, as regards dimensions, in compliance with Article 4 (4) with the addition, as regards cross boarder operations, of deviations from Annex 1 point 1.3, may allow cross boarder operations between them with such vehicles and combinations. Such Member States and neighbouring Member States where longer, heavier or higher vehicles are provisionally allowed may likewise allow cross boarder operations between them on mutual agreement. The Member States will notify the Commission on this procedure.

Justification

In line with the principle of subsidiarity Member States must have the right to decide on transport solutions suited to their specific circumstances as long as these solutions do not discriminate between national and other vehicles. Directive 96/53EC already gives Member States wide discretion in this regard.

Amendment 184

Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 5 b (new)

Directive 96/53/EC

Article 4 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

(5b) The following paragraph 7b) is added to Article 4:

7b. This procedure of Member States allowing the crossborder operations with heavier, longer and/or higher vehicles with mutual agreement and Commission notification procedure will be re-evaluated 5 years after this directive comes to effect.

Or. en

Amendment 185

Phil Bennion

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point a (new)

Directive 96/53/EC

Article 4 a (new)

Text proposed by the Commission

Amendment

(2a) Article 4a is added:

Article 4a

The authorising Member state shall ensure that the following measures are

implemented on their territory for vehicles or vehicle combinations with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex I:

a) Vehicles or vehicle combinations shall not exceed the maximum authorized vehicle weight laid down in points 2.2.2 c) and shall be equipped with safety requirements in accordance with articles 10 and 12 of Regulation (EC) No 661/2009

b) Vehicles or vehicle combinations shall comply with Emission limits set in Annex I of Regulation (EC) No 595/2009

c) The authorising Member state has adopted a mechanism to internalise the external costs of the use of those vehicles as well as modal shift agreements from road to rail

d) The authorising Member state has adopted specific training, in accordance with Directive 2003/59/EC, and certification requirements provided by the relevant authorities, including a minimum driving experience of five years

e) Vehicles or vehicle combinations shall only be allowed on designated routes. Such designation can only be made if the road and the associated infrastructure of the entire route are designed and constructed in a manner compatible for the use of these vehicles.

The Member state shall notify the Commission of the measures taken in application of this article. Decisions to allow vehicles with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex I may not enter into force if the European Commission objects to it, providing a justification of this objection.

Or. en

Justification

To prevent distortion of the single market within an area of freedom of movement and contradiction with the safety and environmental objectives of the European Union, common requirements shall be laid down.

Amendment 186

Ismail Ertug

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 1

Text proposed by the Commission

With the aim of improving the aerodynamic performance of vehicles or combinations of vehicles, vehicles or combinations of vehicles equipped with devices *that meet* the criteria set out below may exceed the maximum lengths provided for in point 1.1 of Annex I. The only purpose of these exceedances is to allow the addition to the rear of vehicles or vehicle combinations of devices increasing their aerodynamic characteristics.

Amendment

With the aim of improving the aerodynamic performance of vehicles or combinations of vehicles, vehicles or combinations of vehicles equipped with *such* devices *and meeting* the criteria set out below may exceed the maximum lengths provided for in point 1.1 of Annex I, *provided that the use of the vehicles or parts thereof (e.g. semi-trailers or swap bodies) in combined transport systems is not adversely affected*. The only purpose of these exceedances is to allow the addition to the rear of vehicles or vehicle combinations of devices increasing their aerodynamic characteristics.

Or. de

Justification

It must be ensured when altering the aerodynamic properties of commercial vehicles that they continue to be fully useable in combined transport systems.

Amendment 187

Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC
Article 8 – paragraph 1

Text proposed by the Commission

With the aim of improving the aerodynamic performance of vehicles or combinations of vehicles, vehicles or combinations of vehicles equipped with devices that meet the criteria set out below may exceed the maximum lengths provided for in point 1.1 of Annex I. The only purpose of these exceedances is to allow the addition to the rear of vehicles or vehicle combinations of devices increasing their aerodynamic characteristics.

Amendment

With the aim of improving the aerodynamic performance of vehicles or combinations of vehicles **and optimising other parts or elements of vehicles**, vehicles or combinations of vehicles equipped with devices that meet the criteria set out below may exceed the maximum lengths provided for in point 1.1 of Annex I. The only purpose of these exceedances is to allow the addition to the rear of vehicles or vehicle combinations of devices increasing their aerodynamic characteristics.

Or. de

Justification

A comprehensive approach should apply with regard to improving energy efficiency and road safety.

Amendment 188
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 1

Text proposed by the Commission

With the aim of improving the aerodynamic performance of vehicles or combinations of vehicles, vehicles or combinations of vehicles equipped with devices that meet the criteria set out below may exceed the maximum lengths provided for in point 1.1 of Annex I. The only purpose of these exceedances is to allow the addition to the rear of vehicles or vehicle combinations of devices increasing

Amendment

With the aim of improving **road safety and** the aerodynamic performance of vehicles or combinations of vehicles, vehicles or combinations of vehicles equipped with devices that meet the criteria set out below may exceed the maximum lengths provided for in point 1.1 of Annex I. The only purpose of these exceedances is to allow the addition to the rear of vehicles or vehicle combinations of devices increasing

their aerodynamic characteristics.

their aerodynamic characteristics.

Or. es

Justification

This amendment uses the same phrasing as Article 9 and stresses that it is equally important that any changes in vehicle dimensions also help to improve road safety.

Amendment 189
Dieter-Lebrecht Koch

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) In the interests of improved road safety, aerodynamic cowls and underrun protective devices affixed on the sides and at the rear of vehicles and trailers should be made of energy-absorbent materials that significantly reduce the impact on other road-users in the event of an accident.

Or. de

Amendment 190
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

With the aim of improving the aerodynamic performance of vehicles or combinations of vehicles, vehicles or combinations of vehicles equipped with

deleted

devices that meet the criteria set out below may exceed the maximum lengths provided for in point 1.1 of Annex I. The only purpose of these exceedances is to allow the addition to the rear of vehicles or vehicle combinations of devices increasing their aerodynamic characteristics.

Or. en

Amendment 191
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) The Commission shall develop and propose a harmonised testing regime to maximise the safety impacts of new truck fronts, sides and the rear for pedestrians and cyclists.

Or. en

Amendment 192
Corien Wortmann-Kool

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

The performance and safety requirements to be **met by** the devices referred to in the first paragraph are as follows:

The performance and safety requirements to be **considered for the certification of** the devices referred to in the first paragraph are as follows:

Amendment 193
Gesine Meissner

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

The performance and safety requirements to be **met by** the devices referred to in the first paragraph are as follows:

Amendment

The performance and safety requirements to be **considered for the certification of** the devices referred to in the first paragraph are as follows:

Or. en

Amendment 194
Corien Wortmann-Kool

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2

Text proposed by the Commission

in terms of road safety **and safety of intermodal transport, in particular:**

Amendment

in terms of road safety:

Or. en

Amendment 195
Gesine Meissner

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2

Text proposed by the Commission

Amendment

in terms of road safety **and safety of intermodal transport, in particular:**

in terms of road safety:

Or. en

Justification

Only a minor part of road transport is intermodal transport. Hence there is no need to make every aerodynamic device compatible with intermodal transport. It restricts the current market developments as well as technological innovations. It is also counter-productive to the overall sustainability objective to reduce emissions and fuel consumption in road freight transport operations.

Amendment 196
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2 – point i

Text proposed by the Commission

Amendment

secure attachment of the devices in such a way as to **reduce their** risk of their detachment **over time**

secure attachment of the devices in such a way as to **ensure that there is no** risk of their detachment, **even in extreme circumstances**

Or. es

Amendment 197
Markus Ferber

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2 – point ii

Text proposed by the Commission

Amendment

day and night markings, effective even in

day and night markings **in accordance**

poor weather conditions, that **allows** other road users to gauge the external bodywork of the vehicle,

with type-approval rules on the installation of lighting and light-signalling devices, effective even in poor weather conditions, that **allow** other road users to gauge the external bodywork of the vehicle,

Or. de

Justification

In the interests of improved road safety, uniform type approval in accordance with Regulation ECE R48 should apply.

Amendment 198
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2 – point ii

Text proposed by the Commission

day and night markings, effective even in poor weather conditions, that allows other road users to gauge the external bodywork of the vehicle,

Amendment

day and night markings, effective even in poor weather conditions, that allows other road users to gauge the external bodywork of the vehicle **and its bulk outline**,

Or. es

Amendment 199
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2 – point ii a (new)

Text proposed by the Commission

Amendment

(iia) A design which does not reduce the driver's visibility of the rear of the vehicle. In order to increase visibility, it could be

made conditional on the presence of additional systems to compensate lack of visibility, such as cameras, sensors, mirrors, etc;

Or. es

Amendment 200
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2 – point iii

Text proposed by the Commission

a design that limits the risks for other vehicles and their passengers in the event of collision,

Amendment

A design that limits the risks for other **road users, particularly vulnerable users (cyclists, pedestrians, motorised two-wheel vehicles) and other** vehicles and their passengers in the event of collision,

Or. es

Amendment 201
Ismail Ertug

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 2 – indent 2 – point iv a (new)

Text proposed by the Commission

Amendment

(iva) the length of the device shall not exceed the 500 mm limit stipulated in point 1.1 of Annex I.

Or. de

Justification

The design of aerodynamic devices for fitting to vehicles is governed by Regulation (EU)

No 1230/2012. It stipulates that such devices must be designed not to protrude more than 50 cm beyond the rear of the vehicle without lengthening the loading area, and that the vehicle's potential for use in combined transport systems must not be adversely affected.

Amendment 202
Gesine Meissner

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – indent 3 – point ii

Text proposed by the Commission

Amendment

the inclusion of the trailers and semi-trailers concerned in the rail, river and sea units during intermodal transport operations,

deleted

Or. en

Justification

Only a minor part of road transport is intermodal transport. Hence there is no need to make every aerodynamic device compatible with intermodal transport. It restricts the current market developments as well as technological innovations. It is also counter-productive to the overall sustainability objective to reduce emissions and fuel consumption in road freight transport operations.

Amendment 203

Säid El Khadraoui, Brian Simpson

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – indent 3 – point iii

Text proposed by the Commission

Amendment

these devices can be ***easily*** folded, ***retracted or removed by the driver.***

these devices can be folded ***and unfolded automatically***

Or. en

Justification

The current Commissions proposal introduces the possibility to increase the size of the rear flaps up to 2 metres and introduces the option of manual handling. This might cause problems for the driver in terms of loss of time and can pose a threat to the driver's health.

Amendment 204

Mathieu Grosch

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – indent 3 – point iii

Text proposed by the Commission

these devices *can be easily* folded,
retracted or removed by the driver.

Amendment

These devices *will be* folded *and unfolded*
automatically.

Or. en

Justification

These devices should fold and unfold automatically in order not to pose a threat to driver's health and in order to ensure a better handling.

Amendment 205

Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – indent 3 – last sentence

Text proposed by the Commission

The exceedances of the maximum length shall *not* lead to *the increase in the* load capacity of vehicles or combinations of vehicles.

Amendment

The exceedances of the maximum length shall lead to *enlargement of* load capacity *without increasing the permissible overall weight* of vehicles or combinations of vehicles.

Or. de

Justification

In order to increase energy efficiency significantly, length concessions for purposes of aerodynamic performance should be used for additional load volume.

Amendment 206

Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 3

Text proposed by the Commission

Before being put on the market, the additional aerodynamic devices and their installation on vehicles shall be authorised by the Member States, **which** shall issue a certificate **to this effect**, attesting compliance with the requirements mentioned in paragraph 2 above and indicating that the device contributes significantly to improving aerodynamic performance. The certificates of authorisation issued in one Member State shall be recognised by the other Member States.

Amendment

Before being put on the market, the additional aerodynamic devices and their installation on vehicles shall be authorised by the Member States. **The rules governing vehicle authorisation throughout Europe must be identical and applicable in practice. Member States** shall issue a certificate **accordingly**, attesting compliance with the requirements mentioned in paragraph 2 above and indicating that the device contributes significantly to improving aerodynamic performance. The certificates of authorisation issued in one Member State shall be recognised by the other Member States.

Or. de

Amendment 207

Jacqueline Foster

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 3

Text proposed by the Commission

Before being put on the market, the additional aerodynamic devices and their installation on vehicles shall be authorised by the Member States, which shall issue a certificate to this effect, attesting compliance with the requirements mentioned in paragraph 2 above and indicating that the device contributes significantly to improving aerodynamic performance. The certificates of authorisation issued in one Member State shall be recognised by the other Member States.

Amendment

Before being put on the market, the additional aerodynamic devices and their installation on vehicles shall be authorised by the Member States, which shall issue a certificate to this effect, attesting compliance with the requirements mentioned in paragraph 2 above and indicating that the device contributes significantly to improving aerodynamic performance. The certificates of authorisation issued in one Member State shall be recognised by the other Member States, ***subject to the limitations in paragraph 5.***

Or. en

Justification

This Directive should align with existing Type Approval legislation. Furthermore, Member States should not be compelled to accept vehicles with devices authorised by other Member States that could have a negative effect on road safety.

Amendment 208
Carlo Fidanza

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. New N2 and N3 vehicles shall use tractor cabs that comply with the safety requirements referred to in Article 9 (2) from ten years from entry into force of this Directive.

Or. en

Amendment 209
Patricia van der Kammen

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 4

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements referred to in paragraph 2. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

deleted

Or. nl

Amendment 210
Jacqueline Foster

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 4

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements referred to in paragraph 2. These shall take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate referred to in paragraph 3.

The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements referred to in paragraph 2. These shall **be implemented within the Type Approval framework of Directive 2007/46 and** take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate referred to in paragraph 3.

Justification

This Directive should align with existing Type Approval legislation. Furthermore, Member States should not be compelled to accept vehicles with devices authorised by other Member States that could have a negative effect on road safety.

Amendment 211
Dieter-Lebrecht Koch

Proposal for a directive
Article 1 – paragraph 1 – point 6
 Directive 96/53/EC
 Article 8 – paragraph 4

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements referred to in paragraph 2. These shall take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate referred to in paragraph 3.

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements referred to in paragraph 2. These shall take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate referred to in paragraph 3. ***Given the inevitable interaction between rear underrun protection and aerodynamic systems, the Commission shall at the same time be empowered to adapt the technical characteristics, minimum levels of performance etc. for underrun protective devices to the new circumstances.***

Amendment 212
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 6
 Directive 96/53/EC
 Article 8 – paragraph 4

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements referred to in paragraph 2. These shall take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate referred to in paragraph 3.

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements referred to in paragraph 2. These shall take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate referred to in paragraph 3. ***In the case of the devices to mark the minimum clearance outline and perimeter contemplated in paragraph 2, the Commission shall draft harmonised common rules on perception, type and luminosity for the identification of these additional devices.***

Or. es

Justification

It is recommended that the Commission harmonise the rules on wing, minimum clearance and perimeter markings to improve visibility and increase road safety.

Amendment 213

Patricia van der Kammen

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 5

Text proposed by the Commission

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply

Amendment

deleted

from the date of entry into force of this Directive.

Or. nl

Amendment 214
Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 5

Text proposed by the Commission

Amendment

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this Directive.

The Commission shall adopt the delegated acts referred to in Article 8(4) no later than one year after the entry into force of this Directive.

Or. cs

Justification

For reasons of road traffic safety and the development of the proposed equipment by manufacturers, it would be desirable for the Commission to provide more detailed specifications of the proposed equipment as soon as possible.

Amendment 215
Corien Wortmann-Kool

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 5

Text proposed by the Commission

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this Directive.

Amendment

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which **at least** meet the requirements referred to in **the first and second indent of** paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this Directive.

Or. en

Justification

A maximum additional length of 500 mm is already laid down by Regulation 1230/2012. This 500 mm limits flexibility for further innovation in terms of length of aerodynamic devices. The European Commission proposal for 2 metres allows such flexibility. Therefore the rules need to be modified to ensure compatibility with the new weights and dimension rules. It is also important to consider compatibility with intermodal transport for vehicles but this should not be an obligation for all.

Amendment 216

Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 5

Text proposed by the Commission

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall

Amendment

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. **The loading area thus created may**

apply from the date of entry into force of this Directive.

be used for additional load volume without increasing the permissible overall mass of the commercial vehicle. This transitional measure shall apply from the date of entry into force of this Directive.

Or. de

Amendment 217
Jacqueline Foster

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 96/53/EC
Article 8 – paragraph 5

Text proposed by the Commission

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this Directive.

Amendment

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. ***Member States shall accept the use of vehicles equipped with such devices within their territories unless they have reasonable grounds to believe the technical provisions against which the device was issued are not equivalent to their own.*** This transitional measure shall apply from the date of entry into force of this Directive.

Or. en

Justification

This Directive should align with existing Type Approval legislation. Furthermore, Member States should not be compelled to accept vehicles with devices authorised by other Member States that could have a negative effect on road safety.

Amendment 218

Jim Higgins, Phil Prendergast, Petri Sarvamaa, Alain Cadec, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 5

Text proposed by the Commission

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this *Directive*.

Amendment

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this *Directive*. ***Specialised vehicles, such as vehicle transporters, which by their inherent and open design cannot benefit from aerodynamic devices to the rear, may use these additional two metres to optimise their efficiency by other means such as optimal loading with the use of front- and rear-overhangs.***

Or. en

Justification

Because of their open-ended design, vehicle transporters are not aerodynamic at all. Due to their exclusive use within the finished vehicle logistics sector, they will not be able to benefit from aerodynamic improvements with externally mounted devices to the rear. These transporters could still dramatically increase their (fuel) efficiency by using the additional two metres proposed in this article to the effect of loading up to 3 additional cars (from 6 to 9) on a single transporter.

Amendment 219

Inés Ayala Sender

Proposal for a directive

Article 1 – paragraph 1 – point 6

Text proposed by the Commission

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this Directive.

Amendment

Pending the adoption of the delegated acts, the vehicles or combinations of vehicles equipped with aerodynamic devices to the rear, which meet the requirements referred to in paragraph 2 and were tested in accordance with paragraph 3 may circulate if their length exceeds the length laid down in Annex I, point 1.1 by no more than two metres. This transitional measure shall apply from the date of entry into force of this Directive. ***Specialised vehicles, such as vehicle transporters, which by their inherent design cannot benefit from an aerodynamic devices to the front nor rear, may use these additional two metres to optimise their efficiency by other means such as optimal loading with the use of front- and rear-overhangs. The tractor cab shall in any case comply with the requirements set up in article 9.***

Or. en

Justification

Vehicle transporters, due to their exclusive use within the finished vehicle logistics sector, will not be able to benefit from aerodynamic improvements with externally mounted devices to the rear. These transporters could still dramatically increase their (fuel) efficiency by using the additional two metres proposed in this article to the effect of loading up to 3 additional cars (from 6 to 9) on a single transporter.

Amendment 220
Bogusław Liberadzki

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the ***aerodynamic performance and road safety*** of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to ***allow*** the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, ***and improving road safety***.

Amendment

In the aim of improving the ***road safety and aerodynamic performance*** of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I ***by up to 800mm***. The main purpose of these exceedances is to ***permit*** the construction of ***safer*** tractor cabs ***while*** improving the aerodynamic characteristics of vehicles or combinations of vehicles ***and enabling further fuel-efficiency improvements***.

Or. en

Amendment 221

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving ***the aerodynamic performance and road safety*** of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. ***The main purpose of these exceedances is to allow the construction of tractor cabs improving the aerodynamic characteristics*** of vehicles or combinations of vehicles, and ***improving road safety***.

Amendment

In the aim of improving ***road safety and the aerodynamic performance*** of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may ***not*** exceed the maximum lengths provided for in point 1.1 of Annex I. ***Tractor cab construction should improve the road safety*** of vehicles or combinations of vehicles, and ***improve their aerodynamic characteristics***.

Or. en

Amendment 222
Jörg Leichtfried

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow the construction of *tractor cabs improving* the aerodynamic *characteristics* of vehicles or combinations of vehicles, *and improving road safety*.

Amendment

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow the construction of *safer cabs and to improve* the aerodynamic *performance* of vehicles or combinations of vehicles.

Or. en

Justification

Further specification to amendment in draft report. The word ‘tractor’ should be removed since this would only apply to articulated vehicles. This directive should, however, be concerned with improving the road safety of all truck cabs.

Amendment 223
Christine De Veyrac, Dominique Vlasto, Georges Bach

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the *aerodynamic* performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may

Amendment

In the aim of improving the *energy efficiency* performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2

exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow *the construction of tractor cabs improving the aerodynamic characteristics* of vehicles or combinations of vehicles, and *improving* road safety.

below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow *improvements in the energy performance* of vehicles or combinations of vehicles, and *to enhance* road safety. ***Regulation (EC) No 661/2009 should be amended accordingly.***

Or. fr

Justification

Given that the objective is to promote sustainable transport, it is essential to make explicit reference to the concept of energy gains. Aerodynamic performance in itself is not the purpose of this Directive, but a simple tool to achieve the objective. In order to avoid any misinterpretation by those involved, it should be made clear that these provisions amend the measures laid down in Regulation (EC) No 661/2009 on the general safety of motor vehicles.

Amendment 224 Dieter-Lebrecht Koch

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.

Amendment

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to 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.***

Or. de

Amendment 225
Brian Simpson

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow the construction of *tractor cabs* improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.

Amendment

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow the construction of *safer cabs, whilst also* improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.

Or. en

Justification

Improving road safety needs to be the priority here. In addition the reference to tractor needs to be removed as this Directive should be concerned with improving the safety of all lorries, not just those on articulated lorries.

Amendment 226
Ismail Ertug

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may

Amendment

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may

exceed the maximum lengths provided for in point 1.1 of Annex I. The main purpose of these exceedances is to allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.

exceed the maximum lengths provided for in point 1.1 of Annex I **by up to 400 mm, provided that this does not detract from the suitability of vehicles or vehicle components (such as the cab) for combined transport purposes.** The main purpose of these exceedances is to allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.

Or. de

Justification

The extension of the tractor cab improves road safety and energy efficiency. At the same time, it is necessary to ensure continued vehicle suitability for combined transport purposes and for use on the rolling highway system, which is of particular importance for transalpine transport. This can be achieved by extending of tractor cabs by a maximum of 400 mm.

Amendment 227

Silvia-Adriana Țicău

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The **main** purpose of these exceedances is to allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.

Amendment

In the aim of improving the aerodynamic performance and road safety of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. The **sole** purpose of these exceedances is to allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.

Or. ro

Amendment 228
Anna Ibrisagic

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 1

Text proposed by the Commission

In the aim of improving the **aerodynamic performance and road safety** of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I. **The main purpose of these exceedances is to allow the construction of tractor cabs improving the aerodynamic characteristics of vehicles or combinations of vehicles, and improving road safety.**

Amendment

In the aim of improving the **fuel efficiency** of vehicles or combinations of vehicles, vehicles or combinations of vehicles that meet the criteria set out in paragraph 2 below may exceed the maximum lengths provided for in point 1.1 of Annex I **could be extended within the limits set by the European type approval legislation (Directive 2007/46) and by the requirements set by this Directive, which will be need to be further developed, according to the procedures as stated in article 16(3). The main purpose of these exceedances is to allow improvements of vehicles or vehicle combinations design in order to improve road safety. Regulation (EC) N 661/2009 should be amended correspondingly.**

Or. en

Amendment 229
Christine De Veyrac, Dominique Vlasto, Georges Bach

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 2 – indent 2

Text proposed by the Commission

improved **aerodynamic** performance of the vehicles,

Amendment

improved **energy** performance of the vehicles,

Or. fr

Justification

Given that the objective is to promote sustainable transport, it is essential to make explicit reference to the concept of energy gains. Aerodynamic performance in itself is not the purpose of this Directive, but a simple tool to achieve the objective.

Amendment 230

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 – indent 2 – point i

Text proposed by the Commission

makes vulnerable road users more visible to the driver, ***in particular by*** reducing the blind spot under the front windscreen

Amendment

makes vulnerable road users more visible to the driver, ***by improving the technology, the size and positioning of mirrors and therefore*** reducing ***i.e.*** the blind spot under the front windscreen

Or. en

Amendment 231

Brian Simpson

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 – indent 2 – point i

Text proposed by the Commission

makes vulnerable road users more visible to the driver, in particular by reducing the blind ***spot*** under the front windscreen

Amendment

improves direct vision to make vulnerable road users more visible to the driver, in particular by reducing the blind ***spots*** under the front windscreen ***and to the side of the vehicle***

Or. en

Justification

Not only should the direct field of vision be improved under the front windscreen, it should also include the area to the sides of the vehicle

Amendment 232
Dieter-Lebrecht Koch

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 2 – indent 2 – point i

Text proposed by the Commission

makes vulnerable road users more visible to the driver, in particular by reducing the blind spot under the front windscreen

Amendment

makes vulnerable road users more visible to the driver, in particular by reducing the blind spot under the front windscreen, ***extending side windows, especially down to floor level, fitting additional mirrors and installing camera systems wherever necessary to make vulnerable road users more visible and wherever no visibility is provided by windows or mirrors, particularly at the rear of the vehicle***

Or. de

Amendment 233
Brian Simpson

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 2 – indent 2 – point ii

Text proposed by the Commission

reduces the damage in the event of a collision,

Amendment

reduces the damage in the event of a collision ***with other vehicles by improving the energy absorption performance of cabs***

Or. en

Amendment 234
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 2 – indent 2 – point ii

Text proposed by the Commission

reduces the damage in the event of a collision,

Amendment

Reduces the damage in the event of a collision, ***particularly by encouraging the sideways diversion of vulnerable users so that they avoid being hit by the vehicle cab.***

Or. es

Justification

The new cabs need to be designed in such a way as to prevent them running over cyclists, pedestrians and motorcyclists in the event of a collision, as the results can be fatal, however much cab design is improved and its edges softened. If cab design includes features which help propel the pedestrian/cyclist to one side, this will help, firstly, to prevent fatalities and, secondly, to substantially reduce damage and increase the chances of survival.

Amendment 235
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 2 – indent 2 – point ii

Text proposed by the Commission

reduces the damage in the event of a collision,

Amendment

reduces the damage in the event of a collision ***by improving the energy absorption performance of cabs,***

Or. en

Amendment 236
Brian Simpson

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 – indent 2 – point ii a (new)

Text proposed by the Commission

Amendment

(iia) Improving pedestrian protection by adjusting the frontal design to minimise the risk of overruns in case of collisions with vulnerable road users

Or. en

Justification

It is important to also address overruns

Amendment 237

Dieter-Lebrecht Koch

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 – indent 4

Text proposed by the Commission

Amendment

- the comfort and safety of the drivers.

- the comfort and safety of the drivers ***with a view to improving workplace conditions.***

Or. de

Amendment 238

Bogusław Liberadzki

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 – last sentence

Text proposed by the Commission

The **exceedances** of the maximum length shall not lead to the increase in the **load** capacity of vehicles or combinations of vehicles.

Amendment

The **exceedance** of the maximum length **of the tractor cab by 800 mm** shall not lead to the increase in the capacity **load** of vehicles or combinations of vehicles.

Or. en

Amendment 239

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 – indent 4

Text proposed by the Commission

the comfort and safety of the drivers.

Amendment

the comfort, **health** and safety of the drivers.

Or. en

Justification

The occupational health and safety Framework Directive 89/391, with its hierarchy of prevention, provides the frame to eliminate at source whole-body vibration and sources of musculoskeletal disorders including back problems. See also: 'Implications of the Stresses and Strains of Traffic Behaviour of HGV Drivers (BAST)' 2010

Amendment 240

Bogusław Liberadzki

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 3

Text proposed by the Commission

Before they are put on the market, the aerodynamic performance of new motor

Amendment

Before they are put on the market the aerodynamic performance of new motor

vehicle *designs* shall be tested by Member States, *who will issue a certificate to this end. This will certify compliance with the requirements of paragraph 2 above.* The test *certificates issued in one Member State shall be recognised by the other Member States.*

vehicle *design* shall be tested *and certificated* by Member States. *The test certificates issued in one Member State shall be recognised by the other Member States. The results of the test procedure and aerodynamic performance and other input values of tested lorries shall be made publicly available.*

Or. en

Amendment 241

Phil Bennion

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 3

Text proposed by the Commission

Before they are put on the market, the aerodynamic performance of new motor vehicle designs shall be tested by Member States, who will issue a certificate to this end. This will certify compliance with the requirements of paragraph 2 above. The test certificates issued in one Member State shall be recognised by the other Member States.

Amendment

Before they are put on the market, the aerodynamic performance of new motor vehicle designs shall be tested by Member States, who will issue a certificate to this end. *The test of the aerodynamic performance of these vehicles shall be in line with the relevant rules for measurement of aerodynamic performance developed by the European Commission.* This will certify *consistency and* compliance with the requirements of paragraph 2 above. The test certificates issued in one Member State shall be recognised by the other Member States.

Or. en

Amendment 242

Jörg Leichtfried

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC
Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) With regard to the admissibility of exceeding maximum length limits as a result of aerodynamic adjustments in accordance with Articles 8 and 9, a general inspection of the vehicle or vehicle combination shall also be carried out to ensure that the total excess length is not significantly detrimental to traffic safety and traffic flow, especially in the light of specified infrastructural parameters.

Or. de

Amendment 243
Brian Simpson, Saïd El Khadraoui

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) The safety requirements referred to in article 9.2 and the cabin design requirements referred to in article 9a (new) shall become mandatory for all new N2 and N3 vehicles from 1st January 2020.

Or. en

Justification

In the interests of improving road safety it is essential to mandate the safety improvements for all lorries, including urban lorries.

Amendment 244

Christine De Veyrac, Dominique Vlasto, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) New vehicles shall use tractor cabs that comply with the safety requirements referred to in Article 9(2) from [10 years from the entry into force of this Directive].

Or. fr

Justification

Given the life cycle of a cab, sufficient time should be given here to allow the industry to adjust to the regulatory changes and to ensure free and undistorted competition.

Amendment 245

Patricia van der Kammen

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 4

Text proposed by the Commission

Amendment

The requirements set out in paragraph 2 are adopted in accordance with paragraph 5 below. The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

deleted

Amendment 246
Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 4

Text proposed by the Commission

The requirements set out in paragraph 2 are adopted in accordance with paragraph 5 below. The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

Amendment

The requirements set out in paragraph 2 are adopted in accordance with paragraph 5 below. The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3. ***The Commission shall adopt the aforementioned delegated acts no later than one year after the entry into force of this Directive.***

Or. cs

Justification

For reasons of road traffic safety and the development of the proposed equipment by manufacturers, it would be desirable for the Commission to provide more detailed specifications of the proposed equipment as soon as possible.

Amendment 247
Jörg Leichtfried

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 96/53/EC
Article 9 – paragraph 4

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts concerning the requirements which the new **tractor** cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

Amendment

The Commission shall be empowered to adopt delegated acts concerning the requirements which the new cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

Or. en

Justification

The word 'tractor' should be removed since this would only apply to articulated vehicles. This directive should, however, be concerned with improving the road safety of all truck cabs.

Amendment 248

Brian Simpson

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 4

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts concerning the requirements which the new **tractor** cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

Amendment

The Commission shall be empowered to adopt delegated acts concerning the requirements which the new cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3 **and shall be adopted no later than 2 years after the publication of this Directive.**

Or. en

Justification

In the interest of road safety and reducing avoidable and unnecessary deaths on our roads it is essential that these new rules are adopted as quickly as possible.

Amendment 249

Phil Bennion

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 4

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

Amendment

No later than one year from the date of publication of this Directive, The Commission shall adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16 ***within the framework of UNECE regulations***. These take the form of technical characteristics, minimum levels of ***safety and aerodynamic*** performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

Or. en

Amendment 250

Inés Ayala Sender

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 4

Text proposed by the Commission

The requirements set out in paragraph 2 are adopted in accordance with paragraph 5

Amendment

The requirements set out in paragraph 2 are adopted in accordance with paragraph 5

below. The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

below. The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics, minimum levels of performance, design constraints, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3. ***Before adopting a delegated act, the Commission shall consult the interested parties (builders, drivers, road safety associations, traffic authorities, training centres, etc) and shall publish a report on the results of the consultation.***

Or. es

Justification

The Commission must be required to carry out the relevant consultation with interested parties, such as drivers, as they are directly affected by the new requirements and their input is of interest.

Amendment 251

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 5

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics, ***minimum levels of performance, design constraints***, and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3.

Amendment

The Commission shall be empowered to adopt delegated acts concerning the requirements which the new tractor cabs must meet in accordance with Article 16. These take the form of technical characteristics and procedures for the establishment of the test certificate indicating the increase in aerodynamic performance referred to in paragraph 3 ***and shall be adopted no later than 2 years after the publication of this Directive.***

Amendment 252
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Article 1 – paragraph 1 – point 7 a (new)
Directive 96/53/EC
Article 9 a (new)

Text proposed by the Commission

Amendment

(7a) The following Article 9 a is added:

Article 9 a

The safety requirements referred to in article 9.2 shall become mandatory for all new N2 and N3 vehicles from 1 January 2016.

Amendment 253
Brian Simpson, Saïd El Khadraoui

Proposal for a directive
Article 1 – paragraph 1 – point 7 a (new)
Directive 96/53/EC
Article 9 a (new)

Text proposed by the Commission

Amendment

(7a) Article 9a is added:

Article 9 a

1. With the aim of improving the driver's safety and comfort, and ultimately to ensure the improvement of road safety of the vehicles in the scope of this directive, the safety and comfort requirements to be met by the driver's cabins are as follows:

- 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 cabin with safety features starting with a secure fire exit of the cabin;

- The increase in size of the driver's cabin to ensure:

(i) An increased space between the driver's seat and the couchette;

(ii) An increased size of the driver's couchette;

(iii) Adequate space for two drivers, when the vehicle is double-manned;

(iv) Adequate storage space for driver's personal belongings.

2. Before they are put on the market, the driver's safety and comfort characteristics of new motor vehicle designs shall be tested by Member States, who will issue a certificate to this end. This will certify compliance with the requirements of paragraph 1 above. The test certificates issued in one Member State shall be recognised by the other Member States.

3. In further developing the criteria specified in paragraph 1 above, the Commission shall be assisted by a committee made up of Member States, experts and social partners. The committee will develop technical characteristics, minimum levels of performance and procedures for the establishment of the test certificate indicating the increase in safety and comfort of drivers referred to in paragraph 1.

Or. en

Justification

It is essential we use this opportunity to improve the size, safety and comfort of the driver's

cabin. These simple changes to the driver's working environment have the potential to positively impact on drivers' fitness to drive safe, thereby contributing to improved road safety.

Amendment 254

Mathieu Grosch, Dieter-Lebrecht Koch

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 96/53/EC

Article 9 a (new)

Text proposed by the Commission

Amendment

(7a) Article 9a is added:

Article 9 a

With the aim of improving the driver's safety and comfort, and ultimately to ensure the improvement of road safety of the vehicles in the scope of this directive, the safety and comfort requirements to be met by the driver's cabins are as follows:

- 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 cabin with safety features starting with a secure fire exit of the cabin;***
- The increase in size of the driver's cabin to adapt to comfort and safety requirements for driver's seats and couchettes taking into account emergency situations.***

Or. en

Amendment 255

Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 96/53/EC
Article 10a – paragraph 1

Text proposed by the Commission

The maximum weights of vehicles with **hybrid propulsion or fully electric propulsion** shall be those set out in Annex I, point 2.3.1.

Amendment

The maximum weights of vehicles with **alternative propulsion, which do not exclusively use fossil fuels and which therefore produce no pollution or produce only minor amounts of pollution**, shall be those set out in Annex I, point 2.3.1.

Or. cs

Justification

In order to maintain the technological neutrality of the proposed legislation, it is essential that future technologies – such as hydrogen fuel cells – are included.

Amendment 256
Philippe De Backer

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 96/53/EC
Article 10a – paragraph 1

Text proposed by the Commission

The maximum weights of **vehicles with hybrid propulsion or fully electric propulsion** shall be those set out in Annex I, point 2.3.1.

Amendment

The maximum weights of **alternatively fuelled vehicles** shall be those set out in Annex I, point 2.5.

Or. en

Justification

It is important to have legislation that is technology neutral, therefore all vehicles that use alternative fuels should be allowed an increase in weight.

Amendment 257
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 96/53/EC
Article 10a – paragraph 1

Text proposed by the Commission

The maximum weights of vehicles **with hybrid propulsion or fully electric propulsion** shall be those set out in Annex I, point **2.3.1**.

Amendment

The maximum weights of vehicles **equipped with low carbon technologies** shall be those set out in Annex I, point **2.3.4**.

Or. en

Amendment 258
Hubert Pirker

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 96/53/EC
Article 10a – paragraph 2

Text proposed by the Commission

The vehicles with **hybrid or electric** propulsion must however comply with the limits set out in Annex I point 3: maximum authorized axle weight.

Amendment

The vehicles with **alternative** propulsion must however comply with the limits set out in Annex I point 3: maximum authorized axle weight.

Or. de

Justification

In line with the principle of technology neutrality.

Amendment 259
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 96/53/EC
Article 10a – paragraph 2

Text proposed by the Commission

The vehicles ***with hybrid or electric propulsion*** must however comply with the limits set out in Annex I point 3: maximum authorized axle weight.

Amendment

The vehicles ***equipped with low-carbon technologies*** must however comply with the limits set out in Annex I point 3: maximum authorized axle weight.

Or. en

Amendment 260
Bogusław Liberadzki

Proposal for a directive
Article 1 – paragraph 1 – point 9 a (new)
Directive 96/53/EC
Article 10a a (new)

Text proposed by the Commission

Amendment

New N2 and N3 vehicles shall comply with the safety requirements referred to in article 9.2 from the 1st of January 2020 onwards.

Or. en

Amendment 261
Georges Bach, Bogusław Liberadzki

Proposal for a directive
Article 1 – paragraph 1 – point 9 a (new)
Directive 96/53/EC
Article 10a b (new)

Text proposed by the Commission

Amendment

By the end of 2018, the Commission shall review this directive in order to analyse the impacts of cross-border use of vehicles or vehicles combinations exceeding the maximum dimensions laid down by

Annex I. The impact assessment of the Commission shall analyse the impacts on road safety, on the modal shift, the consequences on the infrastructure and on the environment. On the basis of the results of this impact assessment, the Commission shall, if appropriate, make a legislative proposal to amend the directive.

Or. en

Justification

A comprehensive analysis of the consequences of the use of LHV in international road transport is necessary before lifting the restrictions. This impact assessment should include the effects on road safety, on the modal shift, on the environment and the CO2 emissions and on infrastructure.

Amendment 262

Anne E. Jensen

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive 96/53/EC

Article 11 – paragraph 1 – first part

Text proposed by the Commission

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by 15 cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, ***if the road transport of the container or swap body is part of an intermodal transport operation.***

Amendment

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by 15 cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies.

Or. en

Justification

The extended use of 45 ft containers should not be limited to intermodal transport operations.

Amendment 263
Markus Ferber

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – first part

Text proposed by the Commission

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by 15 cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Amendment

To enhance intermodal/combined transport performance and increase energy efficiency, the dimensions of vehicles /vehicle combinations shall be adapted to intermodal transport unit specifications in compliance with the maximum admissible dimensions specified in Annex I.

Or. de

Amendment 264
Eva Lichtenberger, Michael Cramer

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – first part

Text proposed by the Commission

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by 15 cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Amendment

*The maximum dimensions laid down in Annex I points 1.1 and 1.6 may **not** jeopardise positive developments in combined transport systems such as horizontal or bi-modal intermodal systems.*

Or. en

Amendment 265
Peter van Dalen

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – first part

Text proposed by the Commission

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by **15** cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Amendment

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by **80** cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Or. nl

Amendment 266
Philippe De Backer

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – first part

Text proposed by the Commission

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by **15** cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Amendment

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by **80** cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Or. en

Justification

An extra length of 15 cm might not always be sufficient for vehicles engaged in transport of 45-foot containers. Belgium, for example, allows a 77cm extension for the transport of a 45-foot container from and to an intermodal terminal within the national territory. An amendment proposing an extra extension is therefore necessary.

Amendment 267
Georgios Koumoutsakos

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – first part

Text proposed by the Commission

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by 15 cm for vehicles or combinations of vehicles engaged in the transport of 45-foot containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Amendment

The maximum dimensions laid down in Annex I points 1.1 and 1.6 may be exceeded by 15 cm **and points 1.2 (a) by 5 cm** for vehicles or combinations of vehicles engaged in the transport of 45-foot **containers, 45 foot pallet wide** containers or swap bodies, if the road transport of the container or swap body is part of an intermodal transport operation.

Or. en

Amendment 268
Anne E. Jensen

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-

Amendment

deleted

European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Or. en

Justification

The extended use of 45 ft containers should not be limited to intermodal transport operations.

Amendment 269

Patricia van der Kammen

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive 96/53/EC

Article 11 – paragraph 1 – second part

Text proposed by the Commission

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea

deleted

shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Or. nl

Amendment 270
Hubert Pirker

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive 96/53/EC

Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be ***less than 300 km in the territory of the European Union*** or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be ***established by the Member States in accordance with existing infrastructural and geographical factors*** or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Justification

For the purposes of intermodal transport, it is not feasible in practice to impose rigid limits on distances that may be covered by road. Furthermore, this takes no account of the need for efficiency and economy or of environmental, infrastructural and geographical factors in the individual Member States.

Amendment 271
Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive 96/53/EC

Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km **or 50%** in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Amendment 272
Dieter-Lebrecht Koch

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than **300** km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than **500** km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Or. de

Amendment 273
Ismail Ertug

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than **300** km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. ***A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.***

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal ***or combined*** transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than ***150 km as the crow flies*** in the territory of the European Union or just as far as the closest terminals between which there is a regular service.

Or. de

Justification

Intermodal and combined transport specifications are based on Directive 92/106/EEC limiting to 150 kilometers the distance that may be covered by road.

Amendment 274

Silvia-Adriana Țicău

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive 96/53/EC

Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal

transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses *intra-European* short sea shipping, regardless of the lengths of the initial and terminal road journeys. ***The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.***

transport operation shall include at least rail, river ***and/or*** sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses short sea ***and/or river*** shipping, regardless of the lengths of the initial and terminal road journeys.

Or. ro

Amendment 275
Inés Ayala Sender

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. ***Each of these*** road sections shall be ***less than 300 km in the territory*** of the ***European Union*** or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. ***For such operations, the total of the*** road sections shall be ***no more than 30%*** of the ***total overall distance*** or just as far as the closest terminals between which there is a regular service. A transport operation shall also be

as intermodal transport if it uses intra-European short sea shipping, **regardless of the lengths of the initial and terminal road journeys**. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

regarded as intermodal transport if it uses intra-European short sea shipping, **and the maritime section accounts at least 20% of the total overall distance**. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Or. en

Justification

The proposal of the Commission sets up an arbitrary limit for multimodal journeys of 300 km. This amendment tries to propose an alternative way of measuring multimodality by the ratio of the road journey to the total overall distance. This amendment also seeks to equilibrate the provisions to the maritime sector as Commission suggest to consider all short sea shipping combined with road, multimodal journey regardless of the distance.

Amendment 276 **Philippe De Backer**

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport **at least**. It shall also include a road section for its initial and/or terminal journey. **Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service**. A transport operation shall also be regarded as intermodal transport if it uses intra-

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport. It shall also include a road section for its initial and/or terminal journey. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road journeys.

European short sea shipping, regardless of the lengths of the initial and terminal road journeys. ***The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.***

Or. en

Justification

A 300 km limit seems rather arbitrary. A number of existing intermodal operations and benefits would be rendered impossible by a limit on the road-leg of 300 km. The mentioning of the 'nearest appropriate seaport' is rather vague. The choice for one port depends on different factors and should therefore be done on a case by case base.

Amendment 277

Phil Bennion

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive 96/53/EC

Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service. A transport operation shall also be regarded as intermodal transport if it uses intra-European short sea shipping, regardless of the lengths of the initial and terminal road

journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

journeys, ***to ensure a level-playing field between Member states***. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point where the goods are unloaded for the final leg.

Or. en

Amendment 278
Georgios Koumoutsakos

Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 96/53/EC
Article 11 – paragraph 1 – second part

Text proposed by the Commission

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. ***Each of these road sections shall be less than 300 km in the territory of the European Union or just as far as the closest terminals between which there is a regular service.*** A transport operation shall also be regarded as intermodal transport if it uses ***intra-European*** short sea shipping, ***regardless of the lengths of the initial and terminal road journeys. The initial road journey and the terminal road journey for an operation using intra-European short sea shipping takes place from the point where the goods are loaded to the nearest appropriate seaport for the initial leg, and/or where appropriate between the nearest appropriate seaport and the point***

Amendment

For the purposes of this Article, and of point 2.2.2(c) of Annex I, an intermodal transport operation shall include at least rail, river or sea transport at least. It shall also include a road section for its initial and/or terminal journey. A transport operation shall also be regarded as intermodal transport if it uses short sea shipping.

where the goods are unloaded for the final leg.

Or. en

Amendment 279
Jacqueline Foster

Proposal for a directive
Article 1 – paragraph 1 – point 11

Text proposed by the Commission

Amendment

11) [...]

deleted

Or. en

Justification

There is no evidence in their Impact Assessment that the cost of implementing this enforcement is justified by the benefits and could carry significant costs.

Amendment 280
Peter van Dalen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 1

Text proposed by the Commission

Amendment

The Member States shall establish a system for pre-selecting and targeting checks on vehicles or combinations of vehicles in circulation, in order to ensure compliance with the requirements of this Directive.

The Member States shall establish a system for pre-selecting and targeting checks on vehicles or combinations of vehicles in circulation, ***without discriminating on the basis of the nationality of drivers or transport entrepreneurs***, in order to ensure compliance with the requirements of this Directive.

Or. nl

Amendment 281

Eva Lichtenberger, Michael Cramer

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 1

Text proposed by the Commission

The Member States shall establish a system for pre-selecting **and targeting** checks on vehicles or combinations of vehicles in circulation, in order to ensure compliance with the requirements of this Directive.

Amendment

The Member States shall establish a system for pre-selecting, **targeting and carrying out** checks on vehicles or combinations of vehicles in circulation, in order to ensure compliance with the requirements of this Directive.

Or. en

Amendment 282

Phil Bennion

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 1

Text proposed by the Commission

The Member States shall establish a system for pre-selecting and targeting checks on vehicles or combinations of vehicles in circulation, in order to ensure compliance with the requirements of this Directive.

Amendment

The Member States shall establish a **risk-rating** system for pre-selecting and targeting checks on vehicles or combinations of vehicles in circulation, in order to ensure compliance with the requirements, **in particular requirements laid down under article 4a (new)**, of this Directive.

Or. en

Amendment 283

Patricia van der Kammen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 1

Text proposed by the Commission

The Member States **shall** establish a system for pre-selecting and targeting checks on vehicles or combinations of vehicles in circulation, in order to ensure compliance with the requirements of this Directive.

Amendment

The Member States **may** establish a system for pre-selecting and targeting checks on vehicles or combinations of vehicles in circulation, in order to ensure compliance with the requirements of this Directive.

Or. nl

Amendment 284
Peter van Dalen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. At the request of a Member State, the Commission shall investigate whether a Member State is complying with the non-discrimination requirement in paragraph 1. If the investigation reveals that the Member State is not complying with this requirement, the Commission shall take the requisite measures against the Member State concerned.

Or. nl

Amendment 285
Patricia van der Kammen

Proposal for a directive
Article 1 – paragraph 1 – point 11

Text proposed by the Commission

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.

Amendment

deleted

Or. nl

Amendment 286
Bogdan Kazimierz Marcinkiewicz

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 2

Text proposed by the Commission

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked

Amendment

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked

manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. *As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.*

manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. *Where correct certification is obtained for pre-selection systems, those systems may be used to apply automatic penalties where they detect offences.*

Or. pl

Justification

It seems unreasonable to restrict the use of automatic systems solely to pre-selection when, provided that certified stationary weights are applied, the systems could also be used to impose automatic penalties when they detect an offence.

Amendment 287 **Anne E. Jensen**

Proposal for a directive **Article 1 – paragraph 1 – point 11** Directive 96/53/EC Article 12 – paragraph 2

Text proposed by the Commission

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures *may* be taken with the aid of automatic systems set up on the infrastructure, *or* onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum

Amendment

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures *should primarily* be taken with the aid of automatic systems set up on the infrastructure, *supplemented with* onboard systems installed in vehicles in line with paragraph 6 below, *if available*. The automatic systems must enable the

authorised weights. As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.

identification of the vehicles suspected of exceeding the maximum authorised weights. As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.

Or. en

Justification

Pre-selection should primarily be done with equipment that is managed by the competent authority to ensure the best accuracy possible and avoid tampering.

Amendment 288

Säïd El Khadraoui, Brian Simpson

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 2

Text proposed by the Commission

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. *As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.*

Amendment

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights.

The Commission shall come forward with common procedures and specifications to

make the on board weight sensor a reliable device, suitable for the enforcement of the provisions of this Directive. The Commission shall also assess whether the weight sensor, when interconnected to the digital tachograph, can be useful to enforce other road transport legislation. The Commission shall, if appropriate, come forward with the necessary legislative proposals.

Or. en

Justification

Overloading represents a significant problem in the road transport sector and leads to negative impacts on road safety, infrastructure, environment and competition. To effectively address infringements related to overloading, the on-board weight sensor could be an enforcement tool. Bearing in mind the technological progress in the sector, interconnection of the digital tachograph and the on-board weight sensor seems to be achievable in the near future.

Amendment 289

Peter van Dalen

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 2

Text proposed by the Commission

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures *may* be taken with the aid of automatic systems set up on the infrastructure, *or onboard systems installed in vehicles in line with paragraph 6 below*. The automatic systems must enable the identification of the

Amendment

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures *shall* be taken with the aid of automatic systems set up on the infrastructure. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. As these

vehicles suspected of exceeding the maximum authorised weights. As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.

automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.

Or. nl

Amendment 290
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 2

Text proposed by the Commission

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.

Amendment

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures ***based on a risk-rating system*** is to ***increase the efficiency of the checks and*** identify vehicles that are likely to have committed an offence and that should be checked manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, ***such as Automatic Number Plate Recognition combined with weight in motion technology***, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.

Or. en

Amendment 291

Artur Zasada

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 2

Text proposed by the Commission

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. *As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.*

Amendment

After the expiry of a period of two years from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures may be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights.

Or. pl

Amendment 292

Silvia-Adriana Țicău

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 2

Text proposed by the Commission

After the expiry of a period of two years

Amendment

After the expiry of a period of two years

from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures *may* be taken with the aid of automatic systems set up on the infrastructure, or onboard systems installed in vehicles in line with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights. *As these automatic systems are only to be used for pre-selection purposes, and not to define an offence, they do not have to be certified by the Member States.*

from the date of entry into force of this Directive, Member States shall measure the weight of vehicles or combination of vehicles in circulation. The purpose of these pre-selection measures is to identify vehicles that are likely to have committed an offence and that should be checked manually. These measures *shall* be taken with the aid of automatic systems set up on the infrastructure, or onboard systems, *such as intelligent tachographs*, installed in vehicles in line with *Regulation EU 2014/... (Regulation on recording equipment in road vehicles)* and with paragraph 6 below. The automatic systems must enable the identification of the vehicles suspected of exceeding the maximum authorised weights.

Or. ro

Amendment 293
Bogdan Kazimierz Marcinkiewicz

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 3

Text proposed by the Commission

Member States shall take *a* number of *preselection* measures *equivalent to at least one weighing per 2 000 vehicle kilometres per year on average.*

Amendment

Member States, *taking into account the available means and resources*, shall take *an appropriate* number of *pre-selection* measures *in each calendar* year.

Or. pl

Justification

The requirement to take a number of pre-selection measures equivalent to at least one weighing per 2 000 vehicles per year on average, which, according to information provided by the Commission, would allow each vehicle to be inspected on average every three days, does not appear to be a proportionate solution in relation to the anticipated results.

Amendment 294
Anne E. Jensen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 3

Text proposed by the Commission

Member States shall take a number of preselection measures ***equivalent to at least one weighing per 2 000 vehicle kilometres per year on average.***

Amendment

Member States shall take a number of preselection measures ***which should be proportionate to the total number of these vehicles that are registered and/or operating in its territory.***

Or. en

Justification

It should be left to Member States to decide how many vehicles should be pre-selected for controls taking into account the number of these vehicles registered and/or operating on their territory.

Amendment 295
Markus Ferber

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 3

Text proposed by the Commission

Member States shall take a number of preselection measures equivalent to at least one weighing per 2 000 vehicle kilometres per year on average.

Amendment

Member States shall take a number of preselection measures equivalent to at least ***[] % of the traffic volume on their territory (t/km or p/km) accounted for by vehicles referred to in Article 2). Vehicles not registered in their territory shall be included in the inspection quota to a degree reflecting their contribution to total traffic volumes.***

Justification

Preselection measures should be adapted to modified technical roadside inspection frequency.

Amendment 296

Patricia van der Kammen

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 3

Text proposed by the Commission

Member States ***shall take a number of preselection measures equivalent to at least*** one weighing per 2 000 vehicle kilometres per year ***on average***.

Amendment

It shall be for the Member States to decide how many checks to perform. An average of one weighing per 2 000 vehicle kilometres per year may be a convenient indicator for an adequate number of measurements.

Or. nl

Amendment 297

Artur Zasada

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 3

Text proposed by the Commission

Member States shall take a number of preselection measures equivalent to at least one weighing per **2 000** vehicle kilometres per year on average.

Amendment

Member States shall take a number of preselection measures equivalent to at least one weighing per **4 000** vehicle kilometres per year on average.

Or. pl

Amendment 298
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 4

Text proposed by the Commission

Member States shall ensure that the competent authorities exchange the information necessary to make these checks more effective at EU level, and to facilitate their conduct, notably through the national contact point responsible for the exchange of information with the other Member States. This necessary information shall include in particular the identification of offenders, the description of the offences committed and penalties imposed, and the reputation of the company concerned. The contact point is designated in accordance with Article 18(1) of Regulation 1071/2009/EC.

Amendment

Member States shall ensure that the competent authorities, ***through a single contact point***, exchange the information necessary to make these checks more effective at EU level, and to facilitate their conduct, notably through the national contact point responsible for the exchange of information with the other Member States. This necessary information shall include in particular the identification of offenders, the description of the offences committed and penalties imposed, and the reputation of the company concerned. The contact point is designated in accordance with Article 18(1) of Regulation 1071/2009/EC.

Or. en

Amendment 299
Patricia van der Kammen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 5

Text proposed by the Commission

Vehicles suspected of being overweight following the pre-selection procedure conducted pursuant to paragraph 2 shall be subject to at least one of the following measures:

(i) roadside inspection with approved measurement equipment after

Amendment

deleted

interception of the vehicle,
(ii) sending the transport company notification of the suspected overloading of the vehicle,
(iii) inspection of the transport company on its premises, particularly in the case of repeated infringements after the sending of the notification referred to in (ii).

Or. nl

Justification

It is up to the Member States to organise enforcement and penalties.

Amendment 300
Markus Ferber

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 5 – point i

Text proposed by the Commission

roadside inspection with approved measurement equipment after interception of the vehicle,

Amendment

manual roadside inspection with approved measurement equipment after interception of the vehicle,

Or. de

Amendment 301
Anne E. Jensen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 5 – point i

Text proposed by the Commission

roadside inspection with approved measurement equipment after interception

Amendment

roadside inspection with approved measurement equipment after interception

of the vehicle,

of the vehicle, *for the purpose of issuing a sanction if applicable*

Or. en

Justification

Control and sanctioning must never be automated but must ensure contact between the authorities and the driver/haulier. It is therefore specified when a sanction can be applied and when the notification can only be for information. Furthermore, as related overweight on the road there is no need for control on the premises.

Amendment 302
Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 5 – point ii

Text proposed by the Commission

Amendment

sending the transport company notification of the suspected overloading of the vehicle,

deleted

Or. cs

Justification

This provision seems groundless. A mere suspicion that is not backed up by a roadside inspection may be insufficient for any further steps to be taken against the transport company.

Amendment 303
Anne E. Jensen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 5 – point ii

Text proposed by the Commission

Amendment

sending the transport company notification

sending the transport company notification of the suspected overloading of the vehicle,

of the suspected overloading of the vehicle, *for information purposes only*

Or. en

Justification

Control and sanctioning must never be automated but must ensure contact between the authorities and the driver/haulier. It is therefore specified when a sanction can be applied and when the notification can only be for information. Furthermore, as related overweight on the road there is no need for control on the premises.

Amendment 304
Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 5 – point iii

Text proposed by the Commission

Amendment

inspection of the transport company on its premises, particularly in the case of repeated infringements after the sending of the notification referred to in (ii). *deleted*

Or. cs

Justification

This provision seems groundless. A mere suspicion that is not backed up by a roadside inspection may be insufficient for any further steps to be taken with regard to the transport company.

Amendment 305
Anne E. Jensen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 5 – point iii

Text proposed by the Commission

Amendment

inspection of the transport company on its premises, particularly in the case of repeated infringements after the sending of the notification referred to in (ii). ***deleted***

Or. en

Justification

Control and sanctioning must never be automated but must ensure contact between the authorities and the driver/haulier. It is therefore specified when a sanction can be applied and when the notification can only be for information. Furthermore, as related overweight on the road there is no need for control on the premises.

Amendment 306

Peter van Dalen

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 6

Text proposed by the Commission

Amendment

In accordance with paragraph 1, Member States shall encourage the equipment of vehicles and vehicle combinations with onboard weighing devices (total weight and axle load) to enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for regulating the transport of goods. This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906. ***deleted***

¹³ ***DSRC: Dedicated Short Range Communications.***

Or. nl

Amendment 307
Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 6

Text proposed by the Commission

In accordance with paragraph 1, Member States **shall** encourage the equipment of vehicles and vehicle combinations with onboard weighing devices (total weight and axle load) to enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for regulating the transport of goods. This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906.

¹³ DSRC: Dedicated Short-Range Communications

Amendment

In accordance with paragraph 1, Member States **may** encourage the equipment of vehicles and vehicle combinations with onboard weighing devices (total weight and axle load) to enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for regulating the transport of goods. This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906.

¹³ DSRC: Dedicated Short-Range Communications

Or. cs

Justification

If a Member State decides to choose a preselection system exclusively based on infrastructure, devices installed on vehicles are not necessary.

Amendment 308
Jörg Leichtfried

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 6

Text proposed by the Commission

In accordance with paragraph 1, **Member States shall encourage the equipment of vehicles and vehicle combinations** with onboard weighing **devices** (total weight and axle load) **to** enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for regulating the transport of goods. This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906.

¹³ DSRC: Dedicated Short-Range Communications

Amendment

In accordance with paragraph 1, **new N2 and N3** vehicles **shall be fitted** with onboard weighing **systems** (total weight and axle load) **that** enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for regulating the transport of goods. This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906. **The information shall also be accessible for the driver.**

¹³ DSRC: Dedicated Short-Range Communications

Or. en

Justification

Correction to amendment in draft report. 'Systems' is more technology neutral than 'devices'.

Amendment 309
Corien Wortmann-Kool

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 6

Text proposed by the Commission

In accordance with paragraph 1, Member States shall encourage the equipment of vehicles and vehicle combinations with onboard weighing devices (total weight and axle load) to enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for

Amendment

The Commission shall further examine and prepare a report on the possible equipment of vehicles and vehicle combinations with onboard weighing devices (total weight and axle load) to enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections

regulating the transport of goods. ***This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906.***

or responsible for regulating the transport of goods. ***In this report, the Commission should in particular deal with the following issues:***

- ***Conditions to determine legal and non-legal compliance***
 - ***Reduction of the administrative burden for transporters***
 - ***Approximation of enforcement procedures and interoperability of onboard weighing equipment. This should include the additional technical specifications to ensure full interoperability at Union level of the onboard weighing equipment, so that the authorities of all Member States can communicate in the same way with vehicles or vehicle combinations registered in any Member State and, where appropriate, exchange information received with the authorities of other Member States.***
 - ***Conditions for infringements in case of malfunctioning.***
 - ***Interoperable equipment for inspectors to read and correctly interpret the information communicated by the device.***
 - ***Rigorous field testing of the equipment.***
- The Commission report may be accompanied, if appropriate, by proposals relating to the installation of onboard weighing sensors in new heavy goods vehicles.***

¹³ ***DSRC: Dedicated Short-Range Communications***

Or. en

Justification

The Commission should examine first the conditions and procedures for the installation of onboard weighing sensors, if the technology is accurate and reliable and when applied by

Member States, since this might lead to an extra burden for transporters. If not, they will have the opposite effect of delaying compliant vehicles.

Amendment 310

Anne E. Jensen

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 6

Text proposed by the Commission

In accordance with paragraph 1, Member States shall encourage the equipment of vehicles and vehicle combinations with onboard weighing devices (total weight and axle load) to enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for regulating the transport of goods. This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906.

¹³ DSRC: Dedicated Short-Range Communications

Amendment

In accordance with paragraph 1, Member States shall encourage the equipment of vehicles and vehicle combinations with onboard weighing devices (total weight and axle load) to enable the weight data to be communicated at any time from a moving vehicle to an authority carrying out roadside inspections or responsible for regulating the transport of goods. ***The devices must take into account the national rules for weights applicable on the territory where the data is being communicated from the vehicle.*** This communication shall be through the interface defined by the CEN DSRC¹³ standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906.

¹³ DSRC: Dedicated Short-Range Communications

Or. en

Justification

The system must take into account the lack of uniform application across the EU of maximum authorised weight limits.

Amendment 311

Bogdan Kazimierz Marcinkiewicz

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 7

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts, in accordance with Article 16, concerning:

deleted

– the additional technical specifications to ensure full interoperability at Union level of the on-board weighing equipment mentioned in paragraph 6 above, so that the authorities of all Member States can communicate in the same way with vehicles or vehicle combinations registered in any Member State and, where appropriate, exchange information received with the authorities of other Member States.

– the procedures for the pre-selection checks referred to in paragraph 2 of this Article, the technical specifications, precision requirements and instructions for use of the equipment used for these preselection checks. These procedures, specifications and instructions for use are intended to ensure that the checks are performed in the same way in all Member States, thereby ensuring equal treatment for all transporters throughout the territory of the Union.

Or. pl

Justification

The current scope of the delegated acts proposed in Article 12 is too broad. The Commission claims the right to define, inter alia, additional technical specifications, procedures for the preselection checks, the technical specifications, precision requirements and instructions for use of the equipment used for these preselection checks. In future these provisions could generate financial burdens on the Member States' budgets.

Amendment 312
Oldřich Vlasák

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 7

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts, in accordance with Article 16, concerning:

deleted

– the additional technical specifications to ensure full interoperability at Union level of the on-board weighing equipment mentioned in paragraph 6 above, so that the authorities of all Member States can communicate in the same way with vehicles or vehicle combinations registered in any Member State and, where appropriate, exchange information received with the authorities of other Member States.

– the procedures for the pre-selection checks referred to in paragraph 2 of this Article, the technical specifications, precision requirements and instructions for use of the equipment used for these preselection checks. These procedures, specifications and instructions for use are intended to ensure that the checks are performed in the same way in all Member States, thereby ensuring equal treatment for all transporters throughout the territory of the Union.

Or. cs

Justification

The proposed powers are unjustifiably broad. If, pursuant to the proposed Article 12(2), the automatic systems do not have to be certified by the Member States and serve only to establish suspicion of an offence, then it is unclear why procedures for preselection checks should be harmonised in the same way as precision requirements and instructions for the use of equipment.

Amendment 313
Peter van Dalen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 7

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts, in accordance with Article 16, concerning:

deleted

– the additional technical specifications to ensure full interoperability at Union level of the on-board weighing equipment mentioned in paragraph 6 above, so that the authorities of all Member States can communicate in the same way with vehicles or vehicle combinations registered in any Member State and, where appropriate, exchange information received with the authorities of other Member States.

– the procedures for the pre-selection checks referred to in paragraph 2 of this Article, the technical specifications, precision requirements and instructions for use of the equipment used for these preselection checks. These procedures, specifications and instructions for use are intended to ensure that the checks are performed in the same way in all Member States, thereby ensuring equal treatment for all transporters throughout the territory of the Union.

Or. nl

Amendment 314
Patricia van der Kammen

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 7

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts, in accordance with Article 16, concerning:

deleted

– the additional technical specifications to ensure full interoperability at Union level of the on-board weighing equipment mentioned in paragraph 6 above, so that the authorities of all Member States can communicate in the same way with vehicles or vehicle combinations registered in any Member State and, where appropriate, exchange information received with the authorities of other Member States.

– the procedures for the pre-selection checks referred to in paragraph 2 of this Article, the technical specifications, precision requirements and instructions for use of the equipment used for these preselection checks. These procedures, specifications and instructions for use are intended to ensure that the checks are performed in the same way in all Member States, thereby ensuring equal treatment for all transporters throughout the territory of the Union.

Or. nl

Amendment 315
Corien Wortmann-Kool

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 7 – indent 1

Text proposed by the Commission

Amendment

the additional technical specifications to ensure full interoperability at Union level of the on-board weighing equipment mentioned in paragraph 6 above, so that the authorities of all Member States can communicate in the same way with vehicles or vehicle combinations registered in any Member State and, where appropriate, exchange information received with the authorities of other Member States.

deleted

Or. en

Amendment 316
Silvia-Adriana Țicău

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 7 – indent 2

Text proposed by the Commission

Amendment

the procedures for the pre-selection checks referred to in paragraph 2 of this Article, the technical specifications, precision requirements and instructions for use of the equipment used for these preselection checks. These procedures, specifications and instructions for use are intended to ensure that the checks are performed in the same way in all Member States, thereby ensuring equal treatment for all transporters throughout the territory of the Union.

the procedures for the pre-selection checks referred to in paragraph 2 of this Article, the technical specifications, precision requirements and instructions for use ***and rules governing approval*** of the equipment used for these preselection checks. These procedures, specifications and instructions for use are intended to ensure that the checks are performed in the same way in all Member States, thereby ensuring equal treatment for all transporters throughout the territory of the Union.

Or. ro

Amendment 317
Bogdan Kazimierz Marcinkiewicz

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 96/53/EC
Article 12 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

(7a) These matters shall be regulated by means of implementing acts.

Or. pl

Justification

The current scope of the delegated acts proposed in Article 12 is too broad. The Commission claims the right to define, inter alia, additional technical specifications, procedures for the preselection checks, the technical specifications, precision requirements and instructions for use of the equipment used for these preselection checks. In future these provisions could generate financial burdens on the Member States' budgets.

Amendment 318
Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 12

Text proposed by the Commission

Amendment

(12) [...]

deleted

Or. cs

Justification

The proposed division of offences is excessively thorough and constitutes interference in Member States' powers to choose their own effective penalties.

Amendment 319
Jacqueline Foster

Proposal for a directive
Article 1 – paragraph 1 – point 12

Text proposed by the Commission

Amendment

12) [...]

deleted

Or. en

Justification

It should be for Member States to decide upon their national enforcement regimes and penalties to be levied.

Amendment 320

Phil Bennion

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 4

Text proposed by the Commission

Amendment

An overload of between 10 and **20** % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered a serious infringement within the meaning of this Directive. It shall give rise to a financial penalty and the immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight,

An overload of between 10 and **15** % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered a serious infringement within the meaning of this Directive. It shall give rise to a financial penalty and the immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight,

Or. en

Amendment 321

Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 4

Text proposed by the Commission

An overload of more than 20 % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered a very serious infringement within the meaning of this Directive, because of the increased risks incurred by other road users. This shall give rise to an immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight, and to a **financial** penalty. ***The procedure leading to the loss of good repute of the transport company shall be implemented in accordance with Article 6 of Regulation (EC) No 1071/200914.***

¹⁴ OJ L300, 14.11.2009, p. 51.

Amendment

An overload of more than 20 % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered a very serious infringement within the meaning of this Directive, because of the increased risks incurred by other road users. This shall give rise to an immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight, and to a penalty.

Or. de

Justification

Given that, in legal terms, an overload exceeding 5% is considered to be a misdemeanor rather than a criminal offence, the term financial penalty must be replaced by penalty. Moreover, proceedings leading to loss of good repute are obligatory as a direct result of Regulation (EC) No 1071/2009 and there is no need to state the fact.

Amendment 322
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 12
Directive 96/53/EC
Article 13 – paragraph 5

Text proposed by the Commission

An overload of more than **20** % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered a very serious infringement within the meaning of this Directive, because of the increased risks incurred by other road

Amendment

An overload of more than **15** % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered a very serious infringement within the meaning of this Directive, because of the increased risks incurred by other road

users. This shall give rise to an immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight, and to a financial penalty. The procedure leading to the loss of good repute of the transport company shall be implemented in accordance with Article 6 of Regulation (EC) No 1071/2009¹⁴,

¹⁴ OJ L300, 14.11.2009, p. 51.

users. This shall give rise to an immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight, and to a financial penalty. The procedure leading to the loss of good repute of the transport company shall be implemented in accordance with Article 6 of Regulation (EC) No 1071/2009¹⁴,

¹⁴ OJ L300, 14.11.2009, p. 51.

Or. en

Amendment 323

Antonio Cancian, Carlo Fidanza

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 6

Text proposed by the Commission

An excess length or *excess* width of less than 2% of the maximum dimensions indicated in point 1 of Annex 1 shall give rise to a written warning to the transport company, which could give rise to a penalty, if the national legislation provides for such a penalty.

Amendment

An excess length, *height* or width of less than 2% of the maximum dimensions indicated in point 1 of Annex 1 shall give rise to a written warning to the transport company, which could give rise to a penalty, if the national legislation provides for such a penalty.

Or. it

Amendment 324

Franco Frigo, David-Maria Sassoli

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 6

Text proposed by the Commission

An excess length *or excess* width of less than 2% of the maximum dimensions indicated in point 1 of Annex 1 shall give rise to a written warning to the transport company, which could give rise to a penalty, if the national legislation provides for such a penalty.

Amendment

An excess length, width *or height* of less than 2% of the maximum dimensions indicated in point 1 of Annex 1 shall give rise to a written warning to the transport company, which could give rise to a penalty, if the national legislation provides for such a penalty.

Or. it

Amendment 325
Jörg Leichtfried

Proposal for a directive
Article 1 – paragraph 1 – point 12
Directive 96/53/EC
Article 13 – paragraph 7

Text proposed by the Commission

An excess length or excess width of between **2** and **20%** of the maximum dimensions indicated in point 1 of Annex 1, either of the load on board or of the vehicle itself, shall give rise a financial penalty. The inspection authorities shall immobilise the vehicle until its unloading if the excess length or excess width comes from the load or until the transport company obtains a special permit in accordance with Article 4(3);

Amendment

An excess length or excess width of between **1** and **10%** of the maximum dimensions indicated in point 1 of Annex 1, either of the load on board or of the vehicle itself, shall give rise a financial penalty *for the haulier*. The inspection authorities shall immobilise the vehicle until its unloading if the excess length or excess width comes from the load or until the transport company obtains a special permit in accordance with Article 4(3);

Or. de

Justification

Excess length or width is generally a vehicle design feature. Unlike vehicle overload, this is something over which the driver has no control. The amendment creates legal certainty, ensuring that the haulier or registered owner rather than the driver is held responsible.

Amendment 326
Jörg Leichtfried

Proposal for a directive
Article 1 – paragraph 1 – point 12
Directive 96/53/EC
Article 18 – paragraph 8

Text proposed by the Commission

An excess length or excess width of the load or of the vehicle of more than **20%** of the maximum dimensions indicated in point 1 of Annex 1 shall be considered as a very serious infringement within the meaning of this Directive, because of the increased risks incurred by other road users. It shall give rise to a financial penalty and to the immediate immobilisation of the vehicle by the inspection authorities, until its unloading or until the transport company obtains a special permit in accordance with Article 4(3), if the excess length or excess width comes from the load. The procedure leading to the loss of good repute of the transport company shall be implemented in accordance with Article 6 of Regulation (EC) No 1071/2009.

Amendment

An excess length or excess width of the load or of the vehicle of more than **10%** of the maximum dimensions indicated in point 1 of Annex 1 shall be considered as a very serious infringement within the meaning of this Directive, because of the increased risks incurred by other road users. It shall give rise to a financial penalty *for the haulier* and to the immediate immobilisation of the vehicle by the inspection authorities, until its unloading or until the transport company obtains a special permit in accordance with Article 4(3), if the excess length or excess width comes from the load. The procedure leading to the loss of good repute of the transport company shall be implemented in accordance with Article 6 of Regulation (EC) No 1071/2009.

Or. de

Justification

Excess length or width is generally a vehicle design feature. Unlike vehicle overload, this is something over which the driver has no control. The amendment creates legal certainty, ensuring that the haulier or registered owner, rather than the driver, is held responsible.

Amendment 327
Oldřich Vlasák

Proposal for a directive
Article 1 – paragraph 1 – point 12 a (new)
Directive 96/53/EC
Article 13

Text proposed by the Commission

Amendment

(12a) Article 13 is replaced by the following:

Article 13

Member States shall, in accordance with national constitutional arrangements, lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. Those penalties shall be effective, proportionate, dissuasive and non-discriminatory and in compliance with the categories of infringements as defined in Directive 2006/22/EC.

Or. cs

Justification

The proposed division of offences is excessively thorough and constitutes interference in Member States' powers to choose their own effective penalties.

Amendment 328

Anne E. Jensen

Proposal for a directive

Article 1 – paragraph 1 – point 13

Directive 96/53/EC

Article 14

Text proposed by the Commission

For the transport of containers, the shipper shall give the road haulier to whom it entrusts the transport of a container **a** statement indicating the weight of the **container** moved. **If this** information is missing or incorrect, the shipper shall incur liability in the same way as the haulier if the vehicle is overloaded.

Amendment

For the transport of **freight, including** containers, **swap bodies or any other loads**, the shipper shall give the road haulier to whom it entrusts the transport of a container, **in advance of loading, a written** statement indicating the **gross** weight of the **load** moved. **That statement can also be submitted by electronic means. Irrespective of its form, the document declaring the gross weight of**

the load shall be signed by a person duly authorised by the shipper. If the information on the gross weight of the load is missing or incorrect, the shipper shall incur liability in the same way as the haulier if the vehicle is overloaded. In intermodal transport operations, the information on the gross weight of a packed intermodal loading unit, including container and/or swap body, shall be provided to the next party taking custody of the intermodal loading unit.

Or. en

Justification

The joint liability of the shipper should not only be limited to the transport of containers but should include the transport of all loads.

Amendment 329
Markus Ferber

Proposal for a directive
Article 1 – paragraph 1 – point 13
Directive 96/53/EC
Article 14

Text proposed by the Commission

For the transport of containers, the shipper shall give the road haulier to whom it entrusts the transport of a container a statement indicating the weight of the container moved. If this information is missing or incorrect, the shipper shall incur liability in the same way as *the haulier* if the vehicle is overloaded.

Amendment

For the transport of containers, the shipper shall give the road haulier to whom it entrusts the transport of a container a statement indicating the weight of the container moved. If this information is missing or incorrect, the shipper shall incur liability in the same way as *all transport sectors involved* if the vehicle is overloaded.

Or. de

Amendment 330
Gesine Meissner

Proposal for a directive
Article 1 – paragraph 1 – point 13
Directive 96/53/EC
Article 14

Text proposed by the Commission

For the transport of containers, the shipper shall give the road haulier to whom it entrusts the transport of a container a statement indicating the weight of the container moved. ***If this information*** is missing or incorrect, the shipper shall incur liability in the same way as the haulier if the vehicle is overloaded.

Amendment

For the transport of ***freight, including containers, swap bodies or any other loads***, the shipper shall give the road haulier to whom it entrusts the transport of a container a ***written*** statement indicating the ***gross*** weight of the container moved. ***That statement can also be submitted by electronic means. Irrespective of its form, the document declaring the gross weight of the load shall be signed by a person duly authorised by the shipper. If the information on the gross weight of the load*** is missing or incorrect, the shipper shall incur liability in the same way as the haulier if the vehicle is overloaded. ***In intermodal transport operations, the information on the gross weight of a packed intermodal loading unit, including container and/or swap body, shall be provided to the next party taking custody of the intermodal loading unit.***

Or. en

Justification

The joint liability of the shipper should not be limited to the transport of containers but should include the transports of all loads.

Amendment 331
Patricia van der Kammen

Proposal for a directive
Article 1 – paragraph 1 – point 14
Directive 96/53/EC
Article 15

Text proposed by the Commission

Amendment

Every two years in the first quarter of the calendar year, the Member States shall send the Commission a report on the checks carried out in the previous two calendar years, the results of these checks and the penalties imposed on the offenders. The Commission shall produce an analysis of these reports and send it to the European Parliament and the Council in the second quarter of the calendar year.

deleted

Or. nl

Amendment 332
Jacqueline Foster

Proposal for a directive
Article 1 – paragraph 1 – point 15
Directive 96/53/EC
Article 16 – paragraph 2

Text proposed by the Commission

Amendment

The power to adopt delegated acts referred to in Article 8(4), **Article 9(5)** and Article **12(7)** shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from the [date of entry into force of this Directive]

The power to adopt delegated acts referred to in Article 8(4) and Article **9(5)** shall be conferred on the Commission for ***a maximum*** period of ***5 years*** from the [date of entry into force of this Directive]

Or. en

Justification

The length of time for the Commission to be empowered to adopt delegated acts, should not be indeterminate.

Amendment 333
Silvia-Adriana Țicău

Proposal for a directive
Article 1 – paragraph 1 – point 15
Directive 96/53/EC
Article 16 – paragraph 2

Text proposed by the Commission

The power to adopt delegated acts referred to in Article 8(4), Article 9(5) and Article 12(7) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from the [date of entry into force of this Directive]

Amendment

The power to adopt delegated acts referred to in Article 8(4), Article 9(5) and Article 12(7) shall be conferred on the Commission for ***a*** period of ***seven years*** from the [date of entry into force of this Directive]

The Commission shall draw up a report in respect of the delegated power no later than nine months before the end of the seven year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. ro

Amendment 334
Jacqueline Foster

Proposal for a directive
Article 1 – paragraph 1 – point 15
Directive 96/53/EC
Article 16 – paragraph 3

Text proposed by the Commission

The delegation of power referred to in Articles 8(4), ***9(5) and 12(7)*** may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall

Amendment

The delegation of power referred to in Articles 8(4) ***and 9(5)*** may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of

not affect the validity of any delegated acts already in force.

any delegated acts already in force.

Or. en

Amendment 335
Jacqueline Foster

Proposal for a directive
Article 1 – paragraph 1 – point 15
Directive 96/53/EC
Article 16 – paragraph 5

Text proposed by the Commission

A delegated act adopted pursuant to Article 8(4), **Article 9(5)** and Article **12(7)** shall enter into force only if the European Parliament or the Council did not express an objection within a period of two months of notification of that act to these two institutions, or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission of their intention not to raise objections. That period can be extended by two months at the initiative of the European Parliament or the Council.

Amendment

A delegated act adopted pursuant to Article 8(4) and Article **9(5)** shall enter into force only if the European Parliament or the Council did not express an objection within a period of two months of notification of that act to these two institutions, or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission of their intention not to raise objections. That period can be extended by two months at the initiative of the European Parliament or the Council.

Or. en

Amendment 336
Jörg Leichtfried

Proposal for a directive
Article 1 – paragraph 1 – point 15 a (new)
Directive 96/53/EC
Article 16 a (new)

Text proposed by the Commission

Amendment

(15a) The following Article 16 a is added:
Article 16 a

No later than [five years from the date of publication of this Directive], the Commission shall submit a report to the European Parliament and the Council on the implementation and the effects of this Directive, in particular as regards the impact of this Directive on modal shift.

Or. en

Amendment 337

Bogusław Liberadzki

Proposal for a directive

Article 1 – paragraph 1 – point 15 a (new)

Directive 96/53/EC

Article 16 a (new)

Text proposed by the Commission

Amendment

(15a) The following Article 16 a is added:

Article 16 a

By 01.01.2016 the Commission shall complete a review of this Directive and, if appropriate, on the basis of such a review and its impact assessment, shall submit a proposal to the European Parliament and to the Council by 01.01.2017, to mandate the safety requirements laid down by article 9.2 for all new M2 and M3 vehicles.

Or. en

Amendment 338

Bogusław Liberadzki

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point a a (new)

Directive 96/53/EC

Annex I – point 1.1 – indent 8 a (new)

Text proposed by the Commission

Amendment

(aa) The following point is added: ‘loaded vehicle transporters: 20,75m’

Or. en

Amendment 339

Jim Higgins, Phil Prendergast, Gesine Meissner, Dominique Riquet, Alain Cadec, Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point a a (new)

Directive 96/53/EC

Annex I – point 1.1 – indent 8 a (new)

Text proposed by the Commission

Amendment

***(aa) The following point is added:
loaded vehicle transporters: 20.75m***

Or. en

Justification

A harmonised loaded length for specialised vehicle transporters of a minimum 20.75m across the EU means a difference of up to 3 cars loaded on a single transporter (from 6 up to 9), resulting in increased fuel efficiency, less trucks needed for the same volume of loads, less (external) costs and less CO2 per new car transported. As these vehicles are already allowed on most national territories within the EU, there is no additional risk regarding road safety or infrastructure capabilities.

Amendment 340

Peter van Dalen

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point a a (new)

Directive 96/53/EC

Annex I – point 1.1

Text proposed by the Commission

Amendment

(aa) Point 1.1, 18.75, is replaced by:

Amendment 341
Jörg Leichtfried

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point b
 Directive 96/53/EC
 Annex I – point 2.2.2

Text proposed by the Commission

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more *intermodal* transport units, for a total maximum length of 40 or 45 foot: 44 tonnes.

Amendment

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more *combined* transport units, for a total maximum length of 40 or 45 foot: 44 tonnes.

Or. de

Amendment 342
Carlo Fidanza, Antonio Cancian

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point b
 Directive 96/53/EC
 Annex I – point 2.2.2

Text proposed by the Commission

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, for a total maximum length of **40 or** 45 foot: 44 tonnes.

Amendment

‘two- or three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, for a total maximum length of 45 foot: 44 tonnes.’

Or. it

Amendment 343
Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directive 96/53/EC

Annex I – point 2.2.2

Text proposed by the Commission

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, **for a total maximum length of 40 or 45 foot**: 44 tonnes.

Amendment

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, **under Article 2 of the Directive (such as swap bodies or containers of up to 45 foot)** : 44 tonnes.

Or. de

Amendment 344

Franco Frigo, David-Maria Sassoli

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directive 96/53/EC

Annex I – point 2.2.2

Text proposed by the Commission

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, for a total maximum length of **40 or 45 foot**: 44 tonnes.

Amendment

‘two- or three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, for a total maximum length of 45 foot: 44 tonnes.’

Or. it

Justification

Giving the vehicle an extra axle would involve higher costs, higher rolling resistance and increased consumption, resulting in increased emissions. The maximum length of 45 foot is sufficient.

Amendment 345

Silvia-Adriana Țicău

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directive 96/53/EC

Annex I – point 2.2.2

Text proposed by the Commission

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, for a total maximum length of 40 *or* 45 foot: 44 tonnes.

Amendment

three-axle motor vehicle with two or three-axle semi-trailer carrying, in intermodal transport, one or more intermodal transport units, for a total maximum length of 40 foot: 44 tonnes.

Or. ro

Amendment 346

Jim Higgins, Phil Prendergast, Gesine Meissner

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point a b (new)

Directive 96/53/EC

Annex I – point 1.4

Text proposed by the Commission

Amendment

(ab) Point 1.4 is replaced by the following provision:

1.4 Removable superstructures and standardized freight items such as containers are included in the dimensions specified in points 1.1, 1.2, 1.3, 1.6, 1.7, 1.8 and 4.4. Due to the indivisible nature of finished vehicles such as new cars loaded upon specialised transporters, such loaded transporters may exceed the dimensions in point 1.1 to the extent that national regulations and infrastructure conditions allow it and as long as these vehicle transporters when empty comply in full with the abovementioned points.

Or. en

Justification

The current ‘grey area’ in Directive 96/53/EC as regards the differentiation between loaded

and unloaded length for vehicles could be remedied by clarifying that vehicle transporters are allowed to load finished vehicles such as new cars to their optimal capacity – to the extent that national regulations and infrastructure conditions allow it – as long as they comply with the current 18.75m limit when empty. These vehicles cannot benefit from aerodynamic changes as per the new directive.

Amendment 347

Peter van Dalen

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b a (new)

Directive 96/53/EC

Annex I – point 2.2 a (new)

Text proposed by the Commission

Amendment

(ba) Point 2.2 a shall be inserted

- Ecocombis 60 t

Or. nl

Amendment 348

Philippe De Backer

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point c

Directive 96/53/EC

Annex I – point 2.3.1 – indent 2

Text proposed by the Commission

Amendment

***two-axle motor vehicles other than buses,
and with hybrid or electric propulsion: 19
tonnes***

deleted

Or. en

Justification

To introduce a more technology neutral approach that includes all vehicles and buses, point 2.5 is inserted.

Amendment 349
Oldřich Vlasák

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point c

Directive 96/53/EC

Annex I – point 2.3.1 – indent 2

Text proposed by the Commission

Amendment

two-axle motor vehicles other than buses,
and with hybrid or electric propulsion: **19**
tonnes

two-axle motor vehicles other than buses,
and with hybrid or electric propulsion: **18**
tonnes

Or. cs

Justification

Given the inevitability of having to replace fossil fuels with alternative fuels in the future, it is inappropriate to introduce exemptions on maximum permitted weight. An exemption for vehicles using alternative fuels would ultimately result in a general increase in the weight of vehicles, with all of the associated negative effects that this would have on the state of transport infrastructure.

Amendment 350
Hubert Pirker

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point c

Directive 96/53/EC

Annex I – point 2.3.1 – indent 3

Text proposed by the Commission

Amendment

two-axle buses: **19** tonnes

two-axle buses: **19.5** tonnes

Or. de

Justification

The additional equipment necessary to improve road safety, facilitate access for people with reduced mobility and improve environmental performance and driving comfort requires a corresponding adjustment to the total allowable weight for two-axle buses. Only this will ensure that quality services can still be offered by buses used to full capacity.

Amendment 351
Dieter-Lebrecht Koch

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point c
Directive 96/53/EC
Annex I – point 2.3.1 – indent 3

Text proposed by the Commission

Amendment

two-axle buses: **19** tonnes

two-axle buses: **19.5** tonnes

Or. de

Amendment 352
Ismail Ertug

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point c
Directive 96/53/EC
Annex I – point 2.3.1 – indent 3

Text proposed by the Commission

Amendment

two-axle buses: **19** tonnes

two-axle buses: **19.5** tonnes

Or. de

Justification

An increase to 19.5 tonnes in the total allowable total weight of two-axle buses is necessary in line with vehicle weight increments occasioned by safety, noise-reduction and environmental protection specifications.

Amendment 353
Markus Ferber

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point c
Directive 96/53/EC
Annex I – point 2.3.1 – indent 3

Text proposed by the Commission

Amendment

two-axle buses: **19** tonnes

two-axle buses: **19.5** tonnes

Justification

In view of the constant increase in vehicle weight occasioned by technological innovation, an increase to 19.5 tonnes in the total allowable weight of two-axle buses is necessary to ensure unimpaired vehicle performance and carrying capacity, given that failure to achieve this would undermine the objectives of the directive in terms of efficiency and climate protection.

Amendment 354**Corien Wortmann-Kool, Petri Sarvamaa****Proposal for a directive****Article 1 – paragraph 1 – point 16 – point c**

Directive 96/53/EC

Annex I – point 2.3.1 – indent 3

*Text proposed by the Commission**Amendment*two-axle buses: **19** tonnestwo-axle buses: **19,5** tonnes*Justification*

The impact assessment of the European Commission concluded that from a safety as well as from an environmental perspective, there is a consensus that the maximum authorised weight of two-axle touring coaches should be 19.5 tonnes instead of 19 tonnes.

Amendment 355**Georges Bach****Proposal for a directive****Article 1 – paragraph 1 – point 16 – point c**

Directive 96/53/EC

Annex I – point 2.3.1 – indent 3

*Text proposed by the Commission**Amendment*two-axle buses: **19** tonnestwo-axle buses: **20** tonnes

Justification

The maximum weight has to be adapted to the latest technological upgrades of busses regarding safety, environment measures and access for persons with reduced mobility.

Amendment 356

Mathieu Grosch

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point c

Directive 96/53/EC

Annex I – point 2.3.1 – indent 3

Text proposed by the Commission

Amendment

two-axle buses: **19** tonnes

two-axle buses: **19,5** tonnes

Or. en

Justification

The maximal weight of two-axle buses has to be increased to 19.5 tonnes in order to take into account different dimensions such as passengers and luggage weight's increasing, technical improvements (more ecological, safer, technologies for disabled persons, etc.) which lead to increase the total weight of the vehicle.

Amendment 357

Thomas Ulmer

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point c

Directive 96/53/EC

Annex I – point 2.3.1 – indent 3

Text proposed by the Commission

Amendment

two-axle buses: **19** tonnes

two-axle buses: **19.5** tonnes

Or. de

Justification

Increase in total vehicle weight occasioned by the introduction of more efficient emission regulation systems.

Amendment 358
Phil Bennion

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point c a (new)
Directive 96/53/EC
Annex I – point 2.3.4 (new)

Text proposed by the Commission

Amendment

(ca) The following point is added :
2.3.4 Low carbon technologies: the maximum weight is that mentioned in point 2.3.1, 2.3.2 or 2.3.3 increased by the additional weight required for the low carbon technology, with a maximum of 1 tonne. That additional weight shall be certified and indicated in the official registration documents of the motor vehicle issued by the Member State where the vehicle is registered. In cases where this information is missing, the values mentioned in points 2.1, 2.3.2 or 2.3.3 shall apply.

Or. en

Amendment 359
Philippe De Backer

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point c a (new)
Directive 96/53/EC
Annex I – point 2.5 (new)

Text proposed by the Commission

Amendment

(ca) The following point is added :
‘2.5. Alternatively fuelled vehicles: the maximum weight is the weight mentioned in point 2.3. and 2.4 of Annex I, increased by the additional weight required for the alternative propulsion mode, with a maximum of 1 tonne. That additional weight shall be indicated in the official

registration documents of the motor vehicle issued by the Member State where the vehicle is registered. In cases where this information is missing, the values mentioned in points 2.3 and 2.4 shall apply.'

Or. en

Justification

This amendment introduces a more technology neutral approach. All alternative fuelled motor vehicles, including all buses, should be included. They should all be allowed an increased weight, by maximum 1 tonne. This additional tonne allowance should not be limited to two-axle vehicles only, as this would imply limiting the introduction of fuel efficient innovations to urban or suburban environments. Legislation should not restrict the introduction of innovations to certain types of vehicles.

Amendment 360

Mathieu Grosch, Dieter-Lebrecht Koch

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point c a (new)

Directive 96/53/EC

Annex I – point 2.3.4 (new)

Text proposed by the Commission

Amendment

(ca) The following point is added :

2.3.4 Alternatively fuelled vehicles: the maximum weight is that mentioned in point 2.3.1, 2.3.2 or 2.3.3 increased by the additional weight required for the alternative propulsion mode, with a maximum of 1,5 tonnes. That additional weight shall be indicated in the official registration documents of the motor vehicle issued by the Member State where the vehicle is registered. In cases where this information is missing, the values mentioned in points 2.3.1., 2.3.2 or 2.3.3 shall apply.

Or. en

Justification

The choice for an alternative engines technology for alternatively fuelled vehicles should be neutral. With increasing the maximum weight for these technologies to 1.5 tonnes, it allows to respect the possibility of choice.

Amendment 361

Markus Ferber

Proposal for a directive

Article 1 – paragraph 1 – point 16 a (new)

Directive 96/53/EC

Annex I – point 1.1 – indent 3

Text proposed by the Commission

Amendment

***(16a) Third indent of point 1.1 to read:
- articulated vehicle 17.85 m***

Or. de

Amendment 362

Jim Higgins, Jacqueline Foster, Phil Prendergast

Proposal for a directive

Article 1 – paragraph 1 – point 16 a (new)

Directive 96/53/EC

Annex I – point 1.3

Text proposed by the Commission

Amendment

(16a) Point 1.3 is replaced by ‘Maximum height of any vehicle is to be decided by Member States under the subsidiarity principle. Member States may choose to engage in bilateral agreements allowing vehicles of an agreed height to circulate on each other’s territories, so long as the infrastructure allows’

Or. en

Justification

Member States whose infrastructure is built to allow vehicles of a certain height should not be prevented from engaging in efficient cross border trade by European legislation.

Amendment 363
Gesine Meissner

Proposal for a directive
Article 1 – paragraph 1 – point 16 a (new)
Directive 96/53/EC
Annex I – point 1.1 – indent 3

Text proposed by the Commission

Amendment

(16a) Point 1.1, indent 3 is replaced by the following:

articulated vehicle: 17,85 m

Or. en

Justification

The extension of the maximum length of the articulated vehicle by 1,35 m would allow more combinations which could help to promote intermodal transport. You could not only load a 45' container, but also a 48' container or two swap bodies of the category C 745. An articulated vehicle with 17.85 m length would still be shorter as the maximum authorised length for road trains which is 18.75 m.

Amendment 364
Markus Ferber

Proposal for a directive
Article 1 – paragraph 1 – point 16 b (new)
Directive 96/53/EC
Annex I – point 1.6

Text proposed by the Commission

Amendment

(16b) Point 1.6 to read:

- maximum distance between the axis of the fifth wheel kingpin and the rearmost end of the semi-trailer 13.35 m

Or. de

Amendment 365

Carlo Fidanza

Proposal for a directive

Article 2 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

*Article 1 – paragraph 7 shall not apply
before 1 January 2025.*

Or. en