



2023/0265(COD)

20.10.2023

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DRAFT REPORT

on the proposal for a directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic
(COM(2023)0445 – C9-0306/2023 – 2023/0265(COD))

Committee on Transport and Tourism

Rapporteur: Isabel García Muñoz

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (COM(2023)0445 – C9-0306/2023 – 2023/0265(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0445),
 - having regard to Article 294(2) and Article 91 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0306/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of [...] ¹
 - having regard to the opinion of the Committee of the Regions of [...] ²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A9-0000/2023),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ [OJ C 0, 0.0.0000, p. 0. / Not yet published in the Official Journal].

² [OJ C 0, 0.0.0000, p. 0. / Not yet published in the Official Journal].

Amendment 1

Proposal for a directive Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) This Directive is intended to improve the competitiveness of the road transport sector by promoting more cost-efficient and sustainable transport operations as well as encouraging intermodality. Although the new provisions will translate into a reduction in the vehicle-kilometres driven, the acute shortage of drivers in the Union will persist. In order to address this shortage, it is fundamental to improve the working conditions in road transport in order to increase the attractiveness of the sector. As regards this Directive, it is important that the installation of zero emission technologies, which require additional volume, does not result in a reduction of the space in the cabin or occur at the expense of the comfort of the drivers, which is vital for their proper working conditions, especially during long-distance journeys.

Or. en

Amendment 2

Proposal for a directive Recital 9

Text proposed by the Commission

Amendment

(9) European Modular Systems (EMS) have been used and trialled at length and have proven to be an interesting solution to improve the economic and energy efficiency of transport operations, while ensuring road safety and protection of infrastructure, thanks to their confinement to adequate parts of the road networks. Given national specificities, different

(9) European Modular Systems (EMS) have been used and trialled at length and have proven to be an interesting solution to improve the economic and energy efficiency of transport operations, while ensuring road safety and protection of infrastructure, thanks to their confinement to adequate parts of the road networks. Given national specificities, different

economic interests, transportation needs and diverse transport infrastructure capacities in Member States, they are best placed to assess and authorise the circulation of EMS on their territories. At the same time, to enlarge the positive socio-economic and environmental impacts of the use of EMS, it is crucial to remove unnecessary barriers to their use in cross-border operations between neighbouring Member States that allow such vehicle combinations on their territories, without limitation in the number of borders crossed as long as they comply with the maximum authorised weights and dimensions for EMS established by Member States within their respective territories. This is to ensure that EMS used in cross-border operations comply with the common lowest weight and dimension limit for EMS applicable in those Member States. In the interests of safety of operations, transparency and legal clarity, common conditions should be established for the circulation of EMS in national and international traffic, including **providing** clear information on the weights and dimensions limits for EMS **and** on parts of the road network compatible with specifications of such vehicles, **and** monitoring the impacts of the use of EMS on road safety, on the road infrastructure, on modal cooperation, as well as the environmental impacts of European Modular Systems on the transport system, including the impacts on modal share.

economic interests, transportation needs and diverse transport infrastructure capacities in Member States, they are best placed to assess and authorise the circulation of EMS on their territories. ***Before authorising EMS, Member States should carry out an assessment of their possible impact on road safety, infrastructure, modal cooperation and the environment.*** At the same time, to enlarge the positive socio-economic and environmental impacts of the use of EMS, it is crucial to remove unnecessary barriers to their use in cross-border operations between neighbouring Member States that allow such vehicle combinations on their territories, without limitation in the number of borders crossed as long as they comply with the maximum authorised weights and dimensions for EMS established by Member States within their respective territories. This is to ensure that EMS used in cross-border operations comply with the common lowest weight and dimension limit for EMS applicable in those Member States. In the interests of safety of operations, transparency and legal clarity, common conditions should be established for the circulation of EMS in national and international traffic. ***Those conditions should inter alia ensure that EMS do not circulate on roads used also by vulnerable road users. Member States should provide*** clear information on the weights and dimensions limits for EMS on parts of the road network compatible with specifications of such vehicles. ***Member States should establish a monitoring system to evaluate*** the impacts of the use of EMS on road safety, on the road infrastructure, on modal cooperation, as well as the environmental impacts of European Modular Systems on the transport system, including the impacts on modal share. ***To effectively drive the transition towards zero-emission mobility, Member States that allow EMS engaged in international traffic to circulate in their territories should ensure that from 2040***

those EMS are zero-emissions vehicles or vehicle combinations of EMS.

Or. en

Amendment 3

Proposal for a directive Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) To maximise road safety and proper working conditions, it is important to ensure that drivers of EMS have adequate training and the qualifications required for handling heavier and longer vehicles and vehicle combinations. In order to ensure a level playing field that provides for equal treatment, and non-discrimination, of drivers and operators of EMS, Member States should set a minimum level of qualification requirements for drivers of EMS and guarantee that these are mutually recognised in the concerned Member States.

Or. en

Amendment 4

Proposal for a directive Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The new harmonised rules for EMS in national and international traffic in Member States which allow their circulation should entail the gathering of data on road safety in those Member States, including the share of fatalities and injuries from collisions. Taking into account that vulnerable road users

account for nearly one third of the deaths in collisions involving heavy-duty vehicles, Member States should make sure that EMS are not permitted to circulate on roads where vulnerable users such as pedestrians, cyclists and powered two wheelers are present.

Or. en

Amendment 5

Proposal for a directive Recital 11

Text proposed by the Commission

(11) The transport of indivisible loads carried out by vehicles or vehicle combinations exceeding the maximum weights or dimensions and the use of EMS, given their needs for additional safety features and for suitable infrastructure, require that special attention is given to elements such as transparency of relevant information, legal certainty and harmonisation of the permit processes. It is therefore necessary for Member States to establish a single electronic information and communication system containing all the relevant information regarding the operational and administrative conditions for the transport of indivisible loads and for the use of EMS, in a clear and easily accessible manner. This national system should also enable the operators to obtain the information and submit electronically the application, in a standardised format, for special permits for the carriage of indivisible loads in the Member State concerned.

Amendment

(11) The transport of indivisible loads carried out by vehicles or vehicle combinations exceeding the maximum weights or dimensions and the use of EMS, given their needs for additional safety features and for suitable infrastructure, require that special attention is given to elements such as transparency of relevant information, legal certainty and harmonisation of the permit processes. It is therefore necessary for Member States to establish a single electronic information and communication system containing all the relevant information regarding the operational and administrative conditions for the transport of indivisible loads and for the use of EMS, in a clear and easily accessible manner. This national system should also enable the operators to obtain the information and submit electronically the application, in a standardised format, for special permits for the carriage of indivisible loads in the Member State concerned. ***In addition, that national system should provide information on the national maximum authorised dimensions and weights of vehicles and vehicle combinations, information on possible restrictions, as well as on the minimum qualifications requirements for drivers.***

To ensure that operators and citizens can access all relevant information in one place, a dedicated European web portal connecting the national electronic and communication systems and providing, among others, a clear graphic overview of the roads on which EMS are allowed to circulate in the relevant Member States, should be established by the Commission, at the latest by [6 months after the date of transposition of this Directive].

Or. en

Amendment 6

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) The artificial barriers to the cross-border transport of heavier lorries primarily used in long distance transport (such as vehicle combinations with 5 and 6 axles), should be removed in a harmonised way to take advantage in the short term of the operational, energy and environmental efficiency linked to the greater loading capacity granted by the Member States, including for intermodal transport. To effectively drive the transition towards zero-emission mobility, it is necessary to phase out the use of such heavier lorries running on fossil fuels, as of **2035, when the market penetration of zero-emission HDVs is projected to increase significantly up to around 50% of new HDV registrations**. After the phasing out, heavier lorries should continue to be allowed in national traffic while, in international traffic, they should comply with the maximum authorised weights set up in Annex I to Directive 96/53/EC, which limits the extra weight allowance to zero-emission vehicles and to vehicles involved in an intermodal transport

Amendment

(12) The artificial barriers to the cross-border transport of heavier lorries primarily used in long distance transport (such as vehicle combinations with 5 and 6 axles), should be removed in a harmonised way to take advantage in the short term of the operational, energy and environmental efficiency linked to the greater loading capacity granted by the Member States, including for intermodal transport. To effectively drive the transition towards zero-emission mobility **and maximise the effects of relevant existing environmental law** it is necessary to phase out the use of such heavier lorries running on fossil fuels, as of **2032, to strengthen legal certainty for investments and** the market penetration of zero-emission HDVs. After the phasing out, heavier lorries should continue to be allowed in national traffic while, in international traffic, they should comply with the maximum authorised weights set up in Annex I to Directive 96/53/EC, which limits the extra weight allowance to zero-emission vehicles and to vehicles involved in an intermodal transport

operation.

operation.

Or. en

Amendment 7

Proposal for a directive Recital 14

Text proposed by the Commission

(14) Vehicle **carriers** with open bodies have very limited potential to reduce their energy consumption via improved aerodynamics. Diverging national rules on the overhanging of loads on vehicle **carriers** cause distortions of competition and limit significantly **their** potential to improve operational efficiency and energy performance in international traffic. Therefore it is necessary to harmonise rules on the overhanging of loads of vehicle **carriers with open bodies**, so as to ensure that these objectives are properly met.

Amendment

(14) Vehicle **transporters** with open bodies have very limited potential to reduce their energy consumption via improved aerodynamics. Diverging national rules on the overhanging of loads on vehicle **transporters** cause distortions of competition and limit significantly **the** potential **of vehicle transporters** to improve operational efficiency and energy performance in international traffic. Therefore it is necessary to harmonise rules on the overhanging of loads of vehicle **transporters** so as to ensure that these objectives are properly met.

Or. en

Amendment 8

Proposal for a directive Recital 15

Text proposed by the Commission

(15) Heavy-duty vehicles with elongated cabs have started making their entrance on the market, paired with zero-emission propulsion systems. Using zero-emission propulsion systems requires, depending on the technology, extra space which should not be counted at the expense of the effective load of the vehicle, so that the zero-emission road transport sector is not penalised in economic terms. It should thus

Amendment

(15) Heavy-duty vehicles with elongated cabs have started making their entrance on the market, paired with zero-emission propulsion systems. Using zero-emission propulsion systems requires, depending on the technology, extra space which should not be counted at the expense of the effective load of the vehicle, so that the zero-emission road transport sector is not penalised in economic terms. It should thus

be clarified that the excess in the maximum lengths provided for the elongated cabs can be such that it provides space needed for accommodating zero-emission technology, such as batteries and hydrogen tanks, provided that the safety, efficiency and comfort features of aerodynamic cabs are not jeopardized.

be clarified that the excess in the maximum lengths provided for the elongated cabs can be such that it provides space needed for accommodating zero-emission technology, such as batteries and hydrogen tanks, provided that the safety, efficiency and comfort features of aerodynamic cabs are not jeopardized, **and that the vehicle concerned complies with the “turning circle rule”**.

Or. en

Amendment 9

Proposal for a directive Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) The multiplicity of different vehicle markings and signalling in Member States can be confusing for road users and detrimental for road safety in the Union. In order to improve road safety, a standardised EU label for the length of motor vehicles or vehicle combinations should be established at Union level. This EU label would help road users to identify and familiarise themselves with such vehicles and reduce any risks resulting from visibility restrictions or blind spots, for example when overtaking such long vehicles or vehicle combinations.

Or. en

Amendment 10

Proposal for a directive Recital 17

Text proposed by the Commission

(17) Effective, efficient, and consistent enforcement of the rules is of utmost importance to ensure undistorted competition between operators and eliminate risks to road safety and to road infrastructure posed by vehicles unlawfully exceeding the applicable weights or dimensions. To better target roadside controls at overloaded vehicles, **and if they choose to use automatic systems on the road infrastructure**, Member States should ensure as a minimum the deployment of **such** systems in the trans-European road transport network. Moreover, for reliability and consistency of the enforcement across the Union, the mandatory minimum level of controls to be performed by Member States should be established in proportion to the level of traffic on their territories by the vehicles within scope of this Directive, including an appropriate number of controls during night hours.

Amendment

(17) Effective, efficient, and consistent enforcement of the rules is of utmost importance to ensure undistorted competition between operators and eliminate risks to road safety and to road infrastructure posed by vehicles unlawfully exceeding the applicable weights or dimensions. To better target roadside controls at overloaded vehicles, Member States should ensure as a minimum the deployment of **certified automatic** systems in the trans-European road transport network. **Additionally, it should also be possible to use accurate and fully interoperable on-board weighting equipment.** Moreover, for reliability and consistency of the enforcement across the Union, the mandatory minimum level of controls to be performed by Member States should be established in proportion to the level of traffic on their territories by the vehicles within scope of this Directive, including an appropriate number of controls during night hours.

Or. en

Amendment 11

Proposal for a directive Recital 18

Text proposed by the Commission

(18) To further step up enforcement and monitoring of the circulation of heavy-duty vehicles on the Union's roads, reduce congestion, enhance road safety, reduce risks of damage to infrastructure and promote sustainable transport operations, Member States should **be encouraged to** establish Intelligent Access Policy schemes that ensure compliance with rules on the maximum authorised weights and

Amendment

(18) To further step up enforcement and monitoring of the circulation of heavy-duty vehicles on the Union's roads, reduce congestion, enhance road safety, reduce risks of damage to infrastructure and promote sustainable transport operations, Member States should establish Intelligent Access Policy schemes that ensure compliance with rules on the maximum authorised weights and dimensions **from**

dimensions. ***When establishing such schemes***, Member States should apply minimum common requirements to guarantee harmonisation and interoperability across the EU, in particular as regards accessibility and format of relevant data to be exchanged. The schemes should help to ensure that the right vehicle with the right cargo, operates on the right road, and at the right time to secure minimum impact on environment, infrastructure, human health and safety, and society. The establishment of such schemes should make use of advanced intelligent transport systems, such as vehicle-to-infrastructure communication, vehicle-to-network communication, real-time data sharing and remote monitoring, in order to ensure safe and smooth traffic of heavy-duty vehicles and they should not lead to disproportionate or discriminatory traffic restrictions.

2040. Member States should apply minimum common requirements ***to such schemes in order*** to guarantee harmonisation and interoperability across ***the Union***, in particular as regards accessibility and format of relevant data to be exchanged. ***The relevant data should be accessible in real-time and in the Union's official languages***. The schemes should help to ensure that the right vehicle with the right cargo, operates on the right road, and at the right time to secure minimum impact on environment, infrastructure, human health and safety, and society. The establishment of such schemes should make use of advanced intelligent transport systems, such as vehicle-to-infrastructure communication, vehicle-to-network communication, real-time data sharing and remote monitoring, in order to ensure safe and smooth traffic of heavy-duty vehicles and they should not lead to disproportionate or discriminatory traffic restrictions.

Or. en

Amendment 12

Proposal for a directive Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) The enforcement of Directive 96/53/EC is an essential part of the well-established monitoring and enforcement systems at Union and national level which contribute to the implementation of the Union's social, market and technical rules applicable to road transport. When non-compliance with the prescribed weights and dimensions requirements is detected during roadside inspections, enforcement actions are to be taken by the competent national authorities. Member States should ensure that the penalties are

non-discriminatory both as regards the types of penalty chosen and their levels, and that they are effective, dissuasive and proportionate to the seriousness of the infringement committed. Those infringements should be recorded in the national register of road transport undertakings, exchanged via the European Register of Road Transport Undertakings (ERRU) and reflected in the risk rating score of the undertakings in line with Regulation 1071/2009. It is expected that cross-border implementation of sanctions within the scope of Directive 96/53/EC will be facilitated through an amended Directive 2015/413 on Cross-Border Enforcement.

Or. en

Amendment 13

Proposal for a directive Recital 18 b (new)

Text proposed by the Commission

Amendment

(18b) To make progress in the green and digital transitions and comply with the objectives set in the European Green Deal and the Sustainable and Smart Mobility Strategy, particularly as regards the GHG emission reductions from the transport sector, Member States should guarantee that the revenues generated from the penalties applicable to the infringements of this Directive, or the equivalent in financial value of those revenues, are used to support the uptake of sustainable transport means, encourage intermodality and increase the sustainability of cross-border transport operations.

Or. en

Amendment 14

Proposal for a directive Recital 21

Text proposed by the Commission

(21) To enable a swift response of the road transport sector to any crisis, such as natural disasters, pandemics, military conflicts or infrastructure failures, there is a need to introduce an emergency clause to Directive 96/53/EC, which enables temporarily the circulation of heavy-duty vehicles exceeding the maximum permitted weights and/or dimensions, in order to ensure a continued supply of necessary goods and services. Such exceptional clause should be applied only where the public interest requires it, **and** provided that road safety is not thereby jeopardised.

Amendment

(21) To enable a swift response of the road transport sector to any crisis, such as natural disasters, pandemics, military conflicts or infrastructure failures, there is a need to introduce an emergency clause to Directive 96/53/EC, which enables temporarily the circulation of heavy-duty vehicles exceeding the maximum permitted weights and/or dimensions, in order to ensure a continued supply of necessary goods and services. Such exceptional clause should be applied only where the public interest requires it, provided that road safety is not thereby jeopardised **and its possible renewal should be conditional upon the persistence of the crisis.**

Or. en

Amendment 15

Proposal for a directive Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) In order to assess the effectiveness and efficiency of this Directive and in order to measure progress against its specific objectives, it is important to regularly evaluate its implementation. Therefore, the Commission should present regularly assessment reports on the application of this Directive with detailed information on inter alia the evolution of national and international road transport, the impact on road safety and road infrastructure, modal shift and technological advancements on road transport, particularly on the uptake of

zero-emission vehicles.

Or. en

Amendment 16

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 96/53/EC

Article 4 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Member States shall guarantee that the conditions under which the permits or similar arrangements related to the transport of indivisible loads are issued are proportionate and non-discriminatory. In particular, Member States shall ***cooperate to avoid the multiplicity of vehicle markings and signalling, and to favour the use of pictograms over text.*** Member States shall not impose language requirements related to the transport of indivisible loads.

Amendment

Member States shall guarantee that the conditions under which the permits or similar arrangements related to the transport of indivisible loads are issued are proportionate and non-discriminatory. In particular, Member States shall ***ensure that the vehicles carrying indivisible loads display the EU label set out in Article 10ca.*** Member States shall not impose language requirements related to the transport of indivisible loads.

Or. en

Amendment 17

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 96/53/EC

Article 4 – paragraph 4a – point –a (new)

Text proposed by the Commission

Amendment

(-a) the Member States shall make a prior assessment of the possible impact of European Modular Systems on road safety, on the road infrastructure, on modal cooperation, as well as the environmental impacts of European Modular Systems on the transport system, including the impacts on modal split,

which shall be made publicly available and which may, where relevant, be based on the monitoring system referred to in paragraph 5;

Or. en

Amendment 18

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 96/53/EC

Article 4 – paragraph 4a – point b

Text proposed by the Commission

(b) the Member States shall make publicly available, in an accessible and transparent way, the information related to the part of the road network where European Modular Systems can circulate;

Amendment

(b) the Member States shall make publicly available, in an accessible and transparent way, the information related to the part of the road network where European Modular Systems can circulate ***ensuring the safety of vulnerable road users;***

Or. en

Amendment 19

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 96/53/EC

Article 4 – paragraph 4a – point c a (new)

Text proposed by the Commission

Amendment

(ca) the Member States shall demonstrate the lack of suitable more sustainable transport alternatives in other modes when allowing cross-border operations of European Modular Systems;

Or. en

Amendment 20

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 96/53/EC

Article 4 – paragraph 4a – point c b (new)

Text proposed by the Commission

Amendment

(cb) the Member States shall set an appropriate level of qualification requirements for the drivers of European Modular Systems, while ensuring proportionality, non-discrimination and mutual recognition;

Or. en

Amendment 21

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 96/53/EC

Article 4 – paragraph 4a – point d

Text proposed by the Commission

Amendment

(d) the Member States shall ***set*** a monitoring system ***and assess the*** impact of European Modular Systems on road safety, on the road infrastructure, on modal cooperation, as well as the environmental impacts of European Modular Systems on the transport system, including the impacts on modal split.

(d) the Member States shall ***establish*** a monitoring system ***of*** impact of European Modular Systems on road safety, on the road infrastructure, on modal cooperation, as well as the environmental impacts of European Modular Systems on the transport system, including the impacts on modal split, ***taking into account the prior assessment performed under point a.***

Or. en

Amendment 22

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 96/53/EC

Article 4 – paragraph 4a – subparagraph 3

Text proposed by the Commission

Member States shall **inform** the Commission in **case** they allow the circulation in their territories of European Modular Systems.;

Amendment

Member States shall **notify** the Commission in **case** they allow the circulation in their territories of European Modular Systems **and inform it how they fulfil the conditions set out in points (-a) to (d) of this paragraph. Following such notifications, the Commission shall, where appropriate, issue recommendations to those Member States to ensure the compliance with these conditions. Where the Commission issues recommendations, the Member State concerned shall, within 6 months, inform the Commission of how it intends to implement those recommendations. The Commission recommendations and responses by the Member State shall be made publicly available.**

Or. en

Amendment 23

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 96/53/EC

Article 4 – paragraph 4a – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

From 1 January 2040, where Member States allow the circulation in their territories of vehicles or vehicle combinations of European Modular Systems engaged in international traffic, they shall ensure that these are zero-emission.

Or. en

Amendment 24

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 96/53/EC

Article 4 – paragraph 5a

Text proposed by the Commission

5a. The Commission shall be empowered to adopt delegated acts in accordance with Article 10h to supplement this Directive by determining the minimum sets of data and the performance indicators to be provided by the monitoring systems set up by the Member States as referred to in paragraphs 4a, point (d), and 5 of this Article.;

Amendment

5a. The Commission shall be empowered to adopt delegated acts in accordance with Article 10h to supplement this Directive by determining the minimum sets of data and the performance indicators to be provided by the **prior assessments** **and** monitoring systems set up by the Member States as referred to in paragraphs 4a, points **(-a) and** (d), and 5 of this Article.;

Or. en

Amendment 25

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 96/53/EC

Article 4a – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) a single national access point to obtain information, in a clear, accessible, and transparent manner, regarding national maximum authorised dimensions and weights of vehicles, as well as any local restrictions in specified areas or on specific roads and any minimum qualification requirements for drivers of EMS.

Or. en

Amendment 26

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 96/53/EC

Article 4a – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. by [6 months after the date of transposition of this Directive], the Commission shall , establish and thereafter manage a dedicated and up-to-date European web portal, available in all Union official languages, connecting, in a clear, accessible, and transparent manner, the national electronic and communications systems, referred to in paragraph 1. This European portal shall also make publicly available, in an accessible and transparent way, the total part of the road network where European Modular Systems can circulate.

Or. en

Amendment 27

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 96/53/EC

Article 4b – paragraph 3

Text proposed by the Commission

Amendment

3. In view of the expected increase in the uptake of zero-emission vehicles, this Article shall apply until 31 December **2034.**';

3. In view of the expected increase in the uptake of zero-emission vehicles, this Article shall apply until 31 December **2031.**';

Or. en

Amendment 28

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 96/53/EC

Article 8c – paragraph 1

Text proposed by the Commission

Vehicle transporters **with open bodies** may exceed the maximum lengths laid down in point 1.1 of Annex I while loaded, up to a total of 20,75 meters, using authorised load supports.

The overhang or load support of vehicle transporters may not protrude in relation to the load. The load may protrude in front of the towing vehicle up to a maximum of 0,5 meters, provided that the first axle of the transported vehicle rests on the trailer structure. The load may protrude from behind up to a maximum of 1,5 meters, provided that the last axle of the transported vehicle rests on the trailer structure.;

Amendment

Vehicle transporters may exceed the maximum lengths laid down in point 1.1 of Annex I while loaded, up to a total of 20,75 meters, using authorised load supports.

The overhang or load support of vehicle transporters may not protrude in relation to the **overhanging** load. The load may protrude in front of the towing vehicle up to a maximum of 0,5 meters, provided that the first axle of the transported vehicle rests on the trailer structure. The load may protrude from behind up to a maximum of 1,5 meters, provided that the **forward** axle of the transported vehicle rests on the trailer structure.;

Or. en

Amendment 29

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 96/53/EC

Article 10b – paragraph 2 – subparagraph 1

Text proposed by the Commission

The maximum lengths laid down in point 1.1 of Annex I for zero-emission vehicles or vehicle combinations including zero-emission vehicles may be exceeded by the additional length necessary to accommodate the zero-emission technology, **with a maximum of 90 cm**, to allow the addition of such devices. Such zero-emission vehicles or vehicle combinations shall comply with points 1.5

Amendment

The maximum lengths laid down in point 1.1 of Annex I for zero-emission vehicles or vehicle combinations including zero-emission vehicles may be exceeded by the additional length necessary to accommodate the zero-emission technology to allow the addition of such devices. Such zero-emission vehicles or vehicle combinations shall comply with points 1.5 and 1.5a of Annex I to this

and 1.5a of Annex I to this Directive, and any exceeding of the maximum lengths shall not result in an increase in the loading length of those vehicles or vehicle combinations, in order to ensure the compatibility of trailers and semi-trailers with the requirements for intermodal transport operations.

Directive, and any exceeding of the maximum lengths shall not result in an increase in the loading length of those vehicles or vehicle combinations, in order to ensure the compatibility of trailers and semi-trailers with the requirements for intermodal transport operations.

Or. en

Amendment 30

Proposal for a directive

Article 1 – paragraph 1 – point 12 a (new)

Directive 96/53/EC

Article 10 c a (new)

Text proposed by the Commission

Amendment

(12a) the following Article 10ca is inserted :

Article 10ca

- 1. In order to increase road safety and to avoid a multiplicity of vehicle markings and signalling, a single EU label shall be established for the length of motor vehicles or vehicle combinations used for the transport of goods and falling within the scope of this Directive.***
- 2. Member States shall take the necessary measures to ensure that all motor vehicles or vehicle combinations in circulation used for the transport of goods and falling within the scope of this Directive clearly and visibly display the EU label at the rear of their motor vehicle or vehicle combination.***
- 3. By [1 year after the date of entry into force], The Commission shall adopt a delegated act in accordance with Article 10h to supplement this Directive by setting out the detailed standards, requirements and provisions, for the displaying and the issuing of the label, favouring the use of***

pictograms over text.

Or. en

Amendment 31

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a

Directive 96/53/EC

Article 10d – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall take specific measures to *identify* vehicles or vehicle combinations *in circulation that are likely to have exceeded* the maximum authorised weight *and that should therefore be checked by their competent authorities* in order to ensure compliance with the requirements of this Directive. Those measures *may* be taken with the aid of automatic systems *set up* on the road infrastructure, *or by means of on-board weighing equipment installed in vehicles* in accordance with *paragraph 4*.

Amendment

Member States shall take specific measures to *establish infringements and impose penalties in respect of the circulation of* vehicles or vehicle combinations *exceeding* the maximum authorised weight in order to ensure compliance with the requirements of this Directive. Those measures *shall* be taken with the aid of automatic systems *installed* on the road infrastructure *ensuring as a minimum the deployment of such systems in the trans-European road transport network* in accordance with *Regulation (EU) 1315/2013**.

Or. en

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a

Directive 96/53/EC

Article 10d – paragraph 1 – subparagraph 2

Text proposed by the Commission

If a Member State chooses to set up automatic systems on the road infrastructure, it shall ensure as a minimum the deployment of such systems

Amendment

deleted

in the trans-European road transport network set out in Regulation (EU) 1315/2013.*

Or. en

Amendment 33

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a

Directive 96/53/EC

Article 10d – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

In addition to the use of automatic systems installed on the road infrastructure, Member States may identify vehicles or vehicle combinations in circulation that are likely to have exceeded the maximum authorised weights by means of on-board weighing equipment installed in vehicles in accordance with paragraph 4.

Or. en

Amendment 34

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a

Directive 96/53/EC

Article 10d – paragraph 1 – subparagraph 4

Text proposed by the Commission

Amendment

Without prejudice to Union and national law, where automatic systems are used to establish infringements of this Directive and to impose penalties, such automatic systems shall be certified. Where

deleted

automatic systems are used only for identification purposes, they need not be certified.

Or. en

Amendment 35

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive 96/53/EC

Article 10da – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States *may* implement Intelligent Access Policy (IAP) schemes within their territories to regulate, monitor and ease the access by heavy-duty vehicles to specific roads or areas.

Amendment

By at the latest 1 January 2040, Member States ***shall*** implement Intelligent Access Policy (IAP) schemes within their territories to regulate, monitor and ease the access by heavy-duty vehicles to specific roads or areas.

Or. en

Amendment 36

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive 96/53/EC

Article 10da – paragraph 2

Text proposed by the Commission

2. ***When a Member State implements IAP pursuant to paragraph 1, it*** shall ensure that their IAP schemes comply with Directive 2010/40/EU of the European Parliament and of the Council*. In particular, Member States shall ensure that data related to the IAP scheme and falling within the scope of Directive 2010/40/EU, including weight, length, width or height restrictions, are available in digital

Amendment

2. Member ***States*** shall ensure that their IAP schemes comply with Directive 2010/40/EU of the European Parliament and of the Council*. In particular, Member States shall ensure that data related to the IAP scheme and falling within the scope of Directive 2010/40/EU, including weight, length, width or height restrictions, are available in digital machine-readable format and made accessible via the

machine-readable format and made accessible via the National Access Points established under Delegated Regulation (EU) 2022/670**.

National Access Points established under Delegated Regulation (EU) 2022/670**.

Or. en

Amendment 37

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive 96/53/EC

Article 10da – paragraph 3 – introductory part

Text proposed by the Commission

3. When *a Member State implements* IAP schemes pursuant to paragraph 1, *it* shall:

Amendment

3. When *implementing* IAP schemes pursuant to paragraph 1, *Member States* shall:

Or. en

Amendment 38

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive 96/53/EC

Article 10da – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) refrain from discriminatory or disproportionate restrictions on the free movement of goods and services and from unduly impeding the proper functioning of the internal market.

Or. en

Amendment 39

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive 96/53/EC
Article 10da – paragraph 4

Text proposed by the Commission

Amendment

4. The establishment of IAP schemes by a Member State shall not give rise to discriminatory or disproportionate restrictions on the free movement of goods and services and shall not unduly impede the smooth functioning of the internal market. **deleted**

Or. en

Justification

Text moved to paragraph 3.

Amendment 40

Proposal for a directive

Article 1 – paragraph 1 – point 14 a (new)

Directive 96/53/EC

Article 10e – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(14a) In Article 10e, the following new paragraph is added:

Member States shall ensure that revenues generated from these penalties, or the equivalent in financial value of those revenues, shall be used to develop and support the market uptake of sustainable transport means, encourage intermodality and increase the sustainability of cross-border transport operations.

Or. en

Amendment 41

Proposal for a directive

Article 1 – paragraph 1 – point 16

Directive 96/53/EC

Article 10g – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

(c) the number and location of automatic systems **set up** on the road infrastructure pursuant to Article 10d(1), **and whether they are for identification purposes only or** certified for direct enforcement;

Amendment

(c) the number and location of automatic systems **installed** on the road infrastructure pursuant to Article 10d(1) certified for direct enforcement;

Or. en

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 16

Directive 96/53/EC

Article 10g – paragraph 2

Text proposed by the Commission

2. The Commission shall analyse the information received pursuant to paragraph 1, and on the basis of the information received, present a report to the European Parliament and the Council on the **implementation** of this Directive, no later than **13** months after receiving the information from all Member States. Such report shall include information on relevant developments in the fields in question.

Amendment

2. The Commission shall analyse the information received pursuant to paragraph 1, and, on the basis of the information received, **issue, where appropriate, recommendations to Member States. Where the Commission issues such recommendations, the Member State concerned shall, within 6 months of their issuance, inform the Commission of how it intends to implement these recommendations. The Commission shall** present a report to the European Parliament and the Council on the **compliance with requirements** of this Directive, no later than **12** months after receiving the information from all Member States. Such report shall include information on relevant developments in the fields in question.

Or. en

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 17

Directive 96/53/EC

Article 10h – paragraph 2

Text proposed by the Commission

(17) In Article 10h, paragraph 2 is replaced by the following:

2. The power to adopt delegated acts referred to in **Articles** 4(5a) **and** 10b(1) shall be conferred on the Commission for a period of 5 years from [PO please insert date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the 5-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 3 months before the end of each period.;

Amendment

(17) In Article 10h, paragraphs 2, **3 and 5 are** replaced by the following:

2. The power to adopt delegated acts referred to in **Article** 4(5a), **Article** 10b(1) **and Article 10ca** shall be conferred on the Commission for a period of 5 years from [PO please insert date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the 5-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 3 months before the end of each period.;

Or. en

Justification

Technical adaptation of provisions in existing Directive to align with proposed new powers of delegation.

Amendment 44

Proposal for a directive

Article 1 – paragraph 1 – point 17

Directive 96/53/EC

Article 10h – paragraph 3

Present text

3. The delegation of power referred to in Article **10b** may be revoked at any time

Amendment

3. The delegation of power referred to in **Article 4(5a), Article 10b(1) and Article**

by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the 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 any delegated acts already in force.

10ca may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the 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 any delegated acts already in force.

Or. en

Justification

Technical adaptation of provisions in existing Directive to align with proposed new powers of delegation.

Amendment 45

Proposal for a directive

Article 1 – paragraph 1 – point 17

Directive 96/53/EC

Article 10h – paragraph 5

Present text

5. A delegated act adopted pursuant to **Article 10b** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

Amendment

5. A delegated act adopted pursuant to **Articles 4(5a), 10b(1) and 10ca** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Technical adaptation of provisions in existing Directive to align with proposed new powers of delegation.

Amendment 46

Proposal for a directive

Article 1 – paragraph 1 – point 19

Directive 96/53/EC

Article 10j

Text proposed by the Commission

(19) Article 10j is *deleted*;

Amendment

(19) Article 10j is *replaced by the following*:

By [4 years after the date of entry into force], and every 4 years thereafter, the Commission shall present a report to the European Parliament and to the Council, on the application of this Directive. The report shall contain a detailed assessment of the evolution of national and international road transport, including specific characteristics of certain market segments and the impact of that evolution on road safety and road infrastructure as well as the functioning of the road transport internal market, the competitiveness of the sector, connectivity, and modal shift. The report may incorporate elements from the report referred to in Article 10g (2). In addition, the report shall inform on technological advancements in the area of road transport which are relevant, including with regards to zero emission vehicles, new technologies or new concepts and aerodynamic devices.

As part of this report, the Commission shall also assess the extent to which the implementation of this Directive has met its objectives and its interaction with other relevant Union legal acts.

On the basis of that report, the Commission shall, if appropriate, make a legislative proposal to amend this Directive.

Or. en

Amendment 47

Proposal for a directive

Article 1 – paragraph 1 – point 20

Directive 96/53/EC

Article 10k – paragraph 1

Text proposed by the Commission

In case of a crisis, where the public interest requires it, and provided that road safety is not thereby jeopardised, Members States may grant temporary exceptions from the application of the weights and dimensions limits set out in Annex I for vehicles used in national traffic, for a period not exceeding two months.

Amendment

In case of a crisis, where the public interest requires it, and provided that road safety is not thereby jeopardised, Members States may grant temporary exceptions from the application of the weights and dimensions limits set out in Annex I for vehicles used in national traffic, for a period not exceeding two months. ***This period may be renewed only where the crisis persists.***

Or. en

Amendment 48

Proposal for a directive

Article 1 – paragraph 1 – point 20

Directive 96/53/EC

Article 10k – paragraph 2

Text proposed by the Commission

Any such exception shall be duly reasoned and notified immediately to the Commission. The Commission shall immediately publish the information on the granted exception on its official website.

Amendment

Any such exception shall be duly reasoned and notified immediately to the Commission. The Commission shall immediately publish the information on the granted exception on its official website ***and on the dedicated European web portal referred to in Article 4a (1a).***

Or. en

Amendment 49

Proposal for a directive Annex I – table – point 2.2.4

Text proposed by the Commission

2.2.4	Articulated vehicles with four axles consisting of a two-axle motor vehicle and a two-axle semi-trailer, if the distance between the axles of the semi-trailer:		
	2.2.4.1	is 1,3 m or greater but not more than 1,8 m	36 tonnes
	2.2.4.2	is greater than 1,8 m	36 tonnes
	In case the maximum authorised weight (MAW) of the motor vehicle (18 tonnes) and the MAW of the tandem axle of the semi-trailer (20 tonnes) are respected and the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Union as defined in Annex II the maximum authorised weight provided for in point 2.2.4.2 shall be increased by 2 tonnes.		
In the case of vehicle combinations including alternatively fuelled vehicles other than zero-emission vehicles, the maximum authorised weights provided for in Sub-section 2.2 shall be increased by the additional weight of the alternative fuel technology with a maximum of 1 tonne.			
In the case of vehicle combinations including zero-emission vehicles the maximum authorised weights provided for in Sub-section 2.2.1 and 2.2.2 shall be increased by 4 tonnes.			
In the case of vehicle combinations including zero-emission vehicles the maximum authorised weights provided for in in Sub-section 2.2.3 and 2.2.4 shall be increased by 2 tonnes.			

Amendment

2.2.4	Articulated vehicles with four axles consisting of a two-axle motor vehicle and a two-axle semi-trailer, if the distance between the axles of the semi-trailer:		
	2.2.4.1	is 1,3 m or greater but not more than 1,8 m	36 tonnes
	2.2.4.2	is greater than 1,8 m	36 tonnes
	In case the maximum authorised weight (MAW) of the motor vehicle (18 tonnes) and the MAW of the tandem axle of the semi-trailer (20 tonnes) are respected and the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Union as defined in Annex II the maximum authorised weight provided for in point 2.2.4.2 shall be increased by 2 tonnes.		
In the case of vehicle combinations including alternatively fuelled motor vehicles other than zero-emission motor vehicles, the maximum authorised weights provided for in Sub-section 2.2 shall be increased by the additional weight of the alternative fuel technology			

	with a maximum of 1 tonne.
	In the case of vehicle combinations including zero-emission motor vehicles the maximum authorised weights provided for in Sub-section 2.2.1 and 2.2.2 shall be increased by 4 tonnes.
	In the case of vehicle combinations including zero-emission motor vehicles the maximum authorised weights provided for in in Sub-section 2.2.3 and 2.2.4 shall be increased by 2 tonnes.

Or. en

Justification

Technical clarification to align wording and avoid possible diverging interpretation.

Amendment 50

**Proposal for a directive
Annex I – table – point 2.3.6**

Text proposed by the Commission

2.3.6	Five-axle motor vehicles with two steering axles where the driving axle is fitted with twin tyres and air suspension or suspension recognized as being equivalent within the Union as defined in Annex II, or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9,5 tonnes.	40 tonnes
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Amendment

2.3.6	Five-axle motor vehicles with two steering axles where the driving axle is fitted with twin tyres and air suspension or suspension recognized as being equivalent within the Union as defined in Annex II, or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9,5 tonnes.	38 tonnes
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Or. en

Justification

The weight of 5-axle rigid trucks generally ranges between 32 tonnes and 36 tonnes across Member States and their maximum length is 12 meters. The harmonisation of their maximum weight is welcome but 40 tonnes (+2 tonnes with zero emission technology) would mean too

much weight for the rigidity of the vehicles and the short distance between the axles, which incurs greater road wear.

EXPLANATORY STATEMENT

Introduction

The Weights and Dimensions Directive, originally adopted in 1996 and subsequently amended in 2002 and most recently in 2015, sets out the maximum permitted weights and dimensions of commercial heavy-duty vehicles (carrying goods or passengers) that can circulate in the Union, while allowing for national derogations to take account of the specific national context. These common standards aim to ensure that heavy duty vehicles (HDVs) do not exceed limits that can compromise road safety, infrastructure and the environment. The common rules also aim to facilitate cross-border transport and ensure that road transport operators can compete on equal footing in the internal market in terms of the loading capacity of their vehicles. Last but not least, the Directive strives to foster the efficiency of transport operations and thereby reduce the greenhouse gas (GHG) emissions from those operations.

However, a recent evaluation of the Directive shows important shortcomings. In the first place, the national derogations allowing the circulation of vehicles with other dimensions have resulted in a patchwork of diverging rules, hindering seamless cross-border transport in the EU, fragmenting the internal market and leading to loss of operational efficiency. Secondly, the mix of EU and national requirements, as well as bilateral arrangements, coupled with legal uncertainties, has led to ineffective and inconsistent enforcement of the rules, especially concerning cross-border transport, resulting in an uneven level playing field for transport operators. Furthermore, the Directive has hitherto underperformed on its decarbonisation aspects, providing insufficient incentives to improve the energy efficiency of road transport operations and to reduce GHG emissions. The failure to provide the necessary requirements in terms of additional weight and volume for new zero-emission technologies has contributed to the current limited uptake of zero-emission vehicles and impeded any meaningful contribution to the achievement of the European Green Deal objective of reducing the transport sector's GHG emissions by 90% by 2050. Finally, the Directive does not sufficiently support intermodal transport neither does it appropriately encourage modal cooperation.

The Commission proposal

The Commission proposal aims at tackling these shortcomings, by focussing on three main pillars:

1) Enhance the sustainability of freight transport by removing regulatory and technical barriers and providing stronger incentives for the uptake of the zero-emission technologies and energy saving devices in the HDVs sector, as well as by ensuring intermodal compatibility and thereby facilitating and incentivising intermodal operations. More specifically, the proposal increases the maximum allowed (axle) weight for zero-emission and alternatively fuelled vehicles and the maximum allowed length of zero-emission vehicles. Furthermore, it supports intermodal transport by allowing intermodal operations additional maximum weight and height and by requiring high capacity vehicles to use standard units that are compatible with other modes;

2) Improve the functioning of the internal market and creating a level playing field by clarifying, and where possible harmonising, the rules on the use of longer and/or heavier HDVs in cross-border operations, while still catering for the necessary flexibility for Member States to set national rules in order to take into account differences in terms of geography, transport network density and spatial economic structure, among others. More specifically, the proposal introduces the possibility for

Member States to allow, under specific conditions, the circulation of European Modular Systems (EMS), which are high capacity vehicles. Currently, nine Member States allow for the use of EMS in their territories and cross-border operations are conditioned to bilateral agreements but this is done in a fragmented way and without harmonised conditions. The proposal aims to clarify the conditions - with regards to road safety, fair competition and modal compatibility - for the use of these high-capacity vehicles for those Member States that wish to make use of them.

3) Make enforcement more effective and efficient in order to ensure a fair level playing field and increase road safety. More specifically, the proposal sets a mandatory minimum level of controls by Member States and aims to incorporate more elements of “smart enforcement” by encouraging Member States to use more Weight-in-Motion and Intelligent Access Policies technologies and by simplifying checks on intermodal transport operations by making use of the existing Electronic Freight Transport Information Regulation.

The Rapporteur’s position

Your Rapporteur welcomes the Commission proposal. It forms part of the “Greening freight” package that aims to make freight transport more sustainable by improving the operational and energy efficiency of the transport sector, encouraging the uptake of zero-emission vehicles and promoting intermodal transport.

The road transport sector clearly brings substantial economic and social benefits in the EU. However, we should also recognise and reduce its negative impacts on the environment, infrastructure and road safety. Road transport leads to air pollution, greenhouse gas emissions and noise. Too much road traffic can generate congestion and increase the wear and tear of infrastructure. It can also lead to accidents and injuries. For example, it is estimated that HDVs were involved in road accidents causing around 3.000 out of the 22.800 fatalities on the EU roads in 2019 (i.e. approximately 13% of the total).

We should also keep in mind that the road sector is composed mainly of SMEs and is characterised by high competition and low profit margin. Furthermore, the EU is currently facing a systemic scarcity of professional drivers. Consequently, it is of the highest importance that the EU provides for a fair level playing field, for clear, harmonised, understandable and transparent rules, for targeted incentives to make the fleet more sustainable without reducing payload, for strict enforcement of the rules, for putting road safety on top of the priorities and for allowing, where possible and desirable, to make use of high-capacity vehicles.

With the above objectives in mind, your Rapporteur believes that the Commission proposal is a step in the right direction compared with the current situation. The evaluation of the current Directive clearly showed that it contains provisions that are open to interpretation or lack specificity in certain areas, and that it does entail an ample scope for national derogations. This led to inconsistent application across Member States, resulting in a fragmentation of the market, legal uncertainty, operational inefficiencies and an unlevel playing field. Furthermore, the ambiguity in the provisions created challenges for enforcement authorities, while diverging levels of enforcement have further exacerbated non-compliance and undermined the harmonization objectives.

Moreover, the current Directive proved ineffective in boosting the uptake of alternatively fuelled and zero-emission vehicles and the use of energy saving technologies and aerodynamic devices. It

also was only partially effective in promoting intermodal transport. The current uptake of zero-emission vehicles in the truck fleet is very limited. To reach the same range as a diesel vehicle, zero-emission vehicles typically need a higher mass (battery electric trucks) or volume (fuel cell electric trucks). It is crucial, notably for SMEs, that the shift towards more sustainable vehicles is not negatively affected by a reduced payload. On the other hand, this additional weight should not compromise the maximum turning circle limits and should not become a risk for road safety.

For your Rapporteur it is clear that if the Union is serious about reducing GHG emissions from transport by 90% in 2050, road transport operations will have to become more efficient and significantly less emitting, and in parallel it is necessary to boost the modal share of more sustainable transport alternatives. This means that zero-emission vehicles must become the backbone of road transport if the sector is to reach its decarbonisation objectives. Also intermodal or combined transport is an important component in the transition towards a more sustainable heavy-duty road transport sector and for the transport system as a whole. This proposal will accelerate both these trends, but more is needed. That is why your Rapporteur proposes that by 2032, cross-border operations of 44tonne HDVs shall only be permitted by zero-emission vehicles. This will create a strong incentive to increase the market uptake of these vehicles and, by that point in time, a solid network of publicly accessible alternative fuels infrastructure will have been deployed, enabling the seamless circulation of zero-emission HDVs across the Union.

In parallel to the transition to a zero-emission transport system, we also need to ensure that the same load can be transported with less vehicles, less trips and less emissions. This could also help with the current lack of drivers. The Commission's Impact Assessment shows that those Member States that have experience with high-capacity vehicles (European Modular Systems), have had positive results in terms of less accidents whereas no reverse modal shift has occurred from rail and/or waterborne modes of transport to road. Your Rapporteur proposes to strengthen the governance framework applying to EMS, with an ex-ante assessment considering the impacts on road safety, road infrastructure, modal cooperation and the environment. It is also proposed that Member States establish qualification requirements for the drivers of EMS, while ensuring proportionality, non-discrimination and mutual recognition between Member States. Finally, a dedicated EU web portal shall provide the public with clear and accessible information about the actual roads where these vehicles are allowed to circulate and about the national maximum authorised dimensions and weights of vehicles in Member States.

Your Rapporteur is convinced that the Union must further reduce road fatalities involving HDVs so that more European lives can be saved. Therefore, a single EU label shall clearly indicate the length of all the vehicles or vehicle combinations of this Directive in order to help other road users to identify and familiarise themselves with these vehicles and reduce any possible risks caused by visibility restrictions or blind spots, for example when overtaking.

As concerns enforcement, your Rapporteur sees room for improving the proposal. Therefore, it is proposed to make obligatory for Member States to instal certified weight in motion systems as well as to implement Intelligent Access Points. Member States should make use of the revenues generated from the penalties applicable to the infringements of this Directive to support the uptake of sustainable transport means, encourage intermodality and increase the sustainability of cross-border transport operations.