



# UNION EUROPÉENNE DES TRANSPORTEURS ROUTIERS EUROPEAN ROAD HAULERS ASSOCIATION

ANTP - ASTAG - BASAT - BVT - CONFARTIGIANATO Trasporti - FENADISMER -  
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## UETR POSITION

### INTRODUCTION

UETR is the European umbrella organization representing and defending the interests of more than 200.000 road transport undertakings (mostly Micro, Small and Medium Enterprises) from Western and Eastern EU Member States federations, with a total capacity of more than 430.000 commercial vehicles <sup>1</sup>.

### PROPOSAL WEIGHTS AND DIMENSIONS

UETR welcomes the fact that Directive 96/53 is finally being revised. As a matter of fact technical evolutions have been important since 1996, and likewise logistic habits have changed profoundly. Even so a number of future challenges needed urgent addressing.

UETR especially welcomes the fact that the proposal is finally tackling the challenge of CO2 reduction for HGV's by allowing aerodynamic trucks to appear on EU-roads. As a matter of fact this was fundamentally important without reducing loading capacity of a single truck. UETR didn't want either for existing fleet to become at once completely unattractive for the road hauler's clients. The new proposal seems to meet these worries, which had been previously expressed by UETR at the occasion of the consultation that preceded this proposal.

The reduction of fuel consumption is indeed core business for transport companies throughout the EU. In the future they are likely to dispose of new tools for this challenge. UETR reacts positively as well to any proposal allowing easier road transport of 45' containers, but the derogation foreseen by the Commission is not large enough and needs adjustment.

UETR is curious to what extent electric or hybrid vehicles will be given more opportunities by the future rules which exempt weight limits. Obviously UETR also hopes to see road safety features of future trucks improve statistics of road accidents in which trucks are involved.

UETR however misses a number of answers in the proposal. No changes seem to be foreseen in European rules regarding the transport of high cube containers, or even the matter of international transport of up to 44 tons between two member states allowing that weight at a national level. UETR hopes that amendments will foresee in the possibility for Member States to conclude bilateral agreements that permit cross-border

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<sup>1</sup> Within the Union, 95% of the road haulage companies are micro-enterprises with less than 10 employees (small firms or one-man operations).

transport with 44 tons. These operations do not have a significant impact on international competition if the cross-border use remains limited to two Member States.

UETR welcomes the cross-border use of ecocombi (LHV), as defined in the proposal and looks forward to the evaluation of running pilot projects.

UETR supports weighing systems built into the road to check vehicle weight, rather than on board sensors in vehicles. The on board sensors are not perfect yet. They do not work properly when the vehicle has to load on irregular surface or on inclining or declining soil and do not function well in case of bad weather or a dusty environment.

The weighing systems built into the road may only be used as pre-selection measure. Vehicles that are likely to have committed an offence, should be selected out and checked manually on calibrated weighing systems/scales.

Article 14 foresees co-liability for the shipper but limited to the transport of containers. UETR wants to see included the liability of all shippers and forwarders related to the transport operation they are involved in and this for the transport of all goods and not only containers. For each transport a statement indicating the weight of the load should be given to the road haulier. If this information is missing or incorrect, the shipper/forwarder shall incur liability if the vehicle is overloaded. The haulier should go free at that moment, as he was deceived by the shipper/forwarder.

Finally UETR asks for the introduction of a higher maximum admitted height in the EU for all kinds of vehicles. A lot of member states already have a higher limit than the 4 meter limit foreseen in the current directive. Some member states even have no limit and leave the height free. UETR wishes an increase to 4,50 meters.

## **SUGGESTION OF AMENDMENTS**

- Article 1 7)

*Ad a point 6 to the replaced article 9*

*“6. Two Member States may decide in a bilateral agreement to deviate from the maximum weights laid down in Annex I point 2.2 for the cross-border transport between their Member States, where the existing legislation in the member states allows higher maximum weights in national transport.”*

- Article 1 10)

*Change 15 cm in 80 cm in the replaced article 11*

*“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.*

*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.”*

- Article 1 11)

*Change in the replaced article 12.*

*“1. 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.*

*2. 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.*

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

*4. 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.*

*5. 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 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).*

*6. ~~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~~*



7. ....”

- Article 1 13)

*Change the replaced article 14*

*“For each transport the shipper and/or forwarder shall give the road haulier to whom it entrusts the transport of goods a statement indicating the weight of the load moved. If this information is missing or incorrect, the shipper and/or forwarder shall incur liability if the vehicle is overloaded. The haulier will go free in this case.”*

- Article 1 16)

*“Annex I is amended as follows:*

- (a)...
- (b)...
- (c)....
- (d) 1.3 is replaced by the following:

*Maximum height (any vehicle): 4,50 m”*

