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INFORMATION NOTE

from:	General Secretariat
to:	Permanent Representatives Committee/Council
Subject:	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 - Outcome of the European Parliament's first reading (Strasbourg, 14 to 17 April 2014)

I. INTRODUCTION

The rapporteur, Mr Jörg LEICHTFRIED (S&D, AT), presented a report on the abovementioned proposal, on behalf of the Committee on Transport and Tourism. The report contained 69 amendments (amendments 1 - 69).

In addition, three other amendments (amendments 70 - 72) had been tabled by political groups (EPP and ECR).

II. DEBATE

The debate on the proposal took place on 14 April 2014.

The Rapporteur, Mr Jörg LEICHTFRIED (S&D, AT), opened the debate and:

- stated that without the input and efforts of the Parliament on this legislation, “mega” trucks would be allowed on the roads across Europe; there would be no real obligation concerning aerodynamic measures; no obligatory safety measures for the benefit of vulnerable road users; limited alternative propulsion technologies available for trucks and no obligation on weight sensors to help detect overload and to facilitate control by authorities;
- specified as regards the aerodynamic measures and the weight sensors that the Transport Committee had sought to clarify requirements to avoid a two tier law system in Europe. As regards the weight sensors, the way that the authorities chose to control would not be affected, however, there would be a system that could help drivers and police;
- urged on behalf of a large majority in the Transport Committee the Commission to examine the consequences of crossborder use of “mega” trucks (environmental and economic);
- concluded that a good result had been achieved in the Parliament and that under the next legislature in talks with the Council and the Commission, it would have to be seen how to move the proposal forward.

Commissioner KALLAS:

- argued that the proposal had multiple benefits. It would encourage the use of low-carbon propulsion technologies and make trucks more aerodynamic. It was good for vulnerable road users, because a different cabin design would improve drivers’ vision and it would help European lorry manufacturers in the global market. It would make road transport greener and safer;
- welcomed many of the amendments voted by the Transport Committee as they clarified or strengthened the proposal;
- expressed concerns over a number of amendments:
 - the 50 cm limit imposed for rear devices. Keeping the 50 cm limit would mean forgoing important benefits in terms of lower emissions and fuel consumption;
 - making new cabin designs mandatory seven years after the entry into force of the directive would be contrary to the current approach to promote more aerodynamic vehicles without mandating a specific design;

- the use of the term ‘combined transport’ instead of ‘intermodal transport’ as this only applied to transport between EU Member States, whereas 45-foot containers were increasingly used in ocean-going transport;
- on-board weighing systems should not be made mandatory. Member States which had invested in infrastructure for weighing moving vehicles should be allowed to continue this method;
- took note of the compromise reached on the cross-border traffic of longer vehicles. In this context, he clarified that the Commission had no intention of generalising or insisting on the use of bigger trucks all over Europe and that it clearly respected the will and decision-making of the Member States. It should remain to be up to Member States to allow or not to allow these. It was the Transport Committee itself that put the issue on the table and he regretted that this issued had overshadowed the very positive elements of this directive;
- hoped that following the expected general approach of the Council in June, the new directive could be finalised by the end of the year.

Speaking on behalf of the EPP group, Mr Mathieu GROSCH (DE):

- stated that disagreements on the proposal continued to exist, and that compromises were struck in order to move the proposal forward;
- in this context recalled that the weights and dimensions proposal mainly aimed at improving safety and aerodynamics and thereby bringing about positive effects for consumers and the environment. Given the upcoming European elections, it was understandable that the issue of cross border traffic with big lorries had taken centre stage, but it would be a pity to miss positive developments. Nevertheless he deplored that in some areas no good compromises had been found;
- argued that in relation to possible effects on rail road transport, limiting road transportation was not the way to achieve more efficient rail transport.

Speaking on behalf of the S&D group, Mr Saïd EL KHADRAOUI (BE):

- shared the Rapporteur’s view that the Parliament should bring about clarity to avoid misinterpretations of the legislation by the Commission;

- stated that his group was not a proponent of an increase in the use of “mega” trucks. It believed that this would go against the intentions of the Commission as set out in the White paper on transport, i.e. to stimulate sustainable transport modes when it came to long haul transport. His group was prepared to debate the issue on the basis of the impact studies to be carried out;
- welcomed the proposals to adapt weights and dimensions to technological developments in order to lower fuel consumption and CO2 emissions and improve safety; to protect vulnerable road users and increase the comfort of drivers. This was a clear step forward in stimulating the sector and globally the proposals were good and his group could fully support them.

Speaking on behalf of the ALDE group, Mr Phil Bennion (UK):

- believed that the vote on the proposal presented a once-in-a-generation opportunity to make lorries of the future safer and more environmentally friendly;
- stated as regards reopening the contentious issue of the cross-border use of “mega” trucks that although he was vehemently against these becoming the norm in Europe, he did not want to undermine the fragile compromise found and thus the whole proposal. He hoped that the UK Conservatives who had abstained on the file at Committee level would reconsider and support the proposals in the plenary vote.

Speaking on behalf of the Greens/EFA group, Ms Eva LICHTENBERGER (AT):

- found that the only positive element in the Commission’s proposal was the additional measures to improve road safety and aerodynamics. Only a pity that it was not obligatory;
- considered that these improvements were only a pretext for the real aim of the proposal, namely to promote the cross border and Europe die use of “mega liners”. Initially, they should only be used between neighbouring countries, but the calculation was that the pressure on other countries would be such that in the end, the “mega liners” could be used everywhere. However, “mega liners” posed the biggest threat to safety and required costly adaptations of infrastructure to be paid by public money. She was pleased that the Committee on this issue had improved the proposal.

Speaking on behalf of the ECR group, Mr Peter van DALEN (NL):

- stated that the Parliament had a unique opportunity to improve the environmental performance of road transport by voting in favour of amendment 72 allowing for the cross border use of long vehicles (“eco liners”). Given the marvellous experiences in his own country, the amendment ought to go through as “eco liners” were good for the environment, there would be less congestions and there would be no negative effects on safety and no increase in infrastructure costs;
- deplored that many colleagues, mindful of the shortly upcoming elections, nevertheless on the issue had been guided by manipulated photos. In case his amendment were not be adopted, he would like the Commission to clarify that the acceptance of the Rapporteur’s proposal would still mean that the status quo in the area was kept.

Amongst other speakers the following can be mentioned:

Mr Dieter-Lebrecht KOCH (EPP, DE) supported the deletion of the issue of long trucks or „eco liners“ from the proposal as there currently were divergent findings on this issue. He expected that the Commission would come up with a scientifically based impact assessment as well as a cost benefit analysis on the use of this type of vehicle under strict conditions.

Ms Jacqueline FOSTER (ECR, UK) clarified that the issue of concern for the UK Conservatives were about the possible limitations that could be placed on British and Irish hauliers in terms of the height of vehicles. In addition, she found that a review on the issue of cross-border use of longer trucks by 2016 was too premature, underlining the subsidiarity principle.

Mr Bendt BENDTSEN (EPP, DK) would have liked to see an extended use of “eco liners”. In the Nordic countries these trucks had been used for some years with good experiences - less CO2 emissions, fewer trucks and lower freight prices. However, he understood that some colleagues in his own political group did not share these views and he was content that with the proposal the longer trucks could continue to be used in countries that had decided to allow them.

III. VOTE

The vote on the proposal took place on 15 April 2014. The European Parliament adopted 70 amendments to the proposal.

All of the Committee's amendments were adopted. In addition, amendment 70 by the EPP group was adopted.

The amendments adopted are set out in the Annex together with the legislative resolution.

Dimensions and weights of road vehicles circulating within the Community *I**

European Parliament legislative resolution of 15 April 2014 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 (COM(2013)0195 – C7-0102/2013 – 2013/0105(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0195),
 - 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 (C7-0102/2013),
 - 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 11 July 2013¹,
 - after consulting the Committee of the Regions,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A7-0256/2014),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

Amendment

(1) The White Paper ‘Roadmap to a Single

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¹ OJ C 327, 12.11.2013, p. 133.

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

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 by 20% by 2020.*

⁶ COM (2011) 0144

Amendment 2

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 in respect of cars and vans.

Amendment 3

Proposal for a directive Recital 3

Text proposed by the Commission

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.

(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. This Directive should also encourage and facilitate innovation in vehicle and transport unit design.

Amendment 4

Proposal for a directive Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The Commission should develop an approach aimed at reducing 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 practices. Furthermore, the review of Directive 1999/62/EC of the European Parliament and of the Council^{1a} ('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 present, before 1 January 2015, a proposal to amend the Eurovignette Directive.

^{1a} Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures (OJ L 187, 20.7.1999, p. 42).

Amendment 5

Proposal for a directive Recital 4

Text proposed by the Commission

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

(4) *Heavy-good vehicles are responsible for about 26 % of road transport CO₂ emissions in Europe while their fuel efficiency has hardly improved over the last 20 years.* The improved aerodynamics

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.

of the cabs of motor vehicles would allow significant gains *in* 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 such derogation should not be used to increase the payload of the vehicle.***

Amendment 6

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.

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. ***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.

⁷ COM(2010) 389

⁸ COM (2012) 258

⁷ COM(2010) 389

⁸ COM (2012) 258

Amendment 7

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 the measurement of aerodynamic performance which is being developed by the 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.***

Amendment 8

Proposal for a directive

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The 2011 White Paper on Transport provides that 30 % of road freight carried over distances of more than 300 km should shift to other modes, such as rail or waterborne transport, by 2030, and more than 50 % by 2050, facilitated by efficient and green freight corridors. In order to meet this goal, appropriate infrastructure will need to be developed. This goal was approved by the European Parliament in its resolution of 15 December 2011 on the Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system^{1a}.

^{1a} OJ C 168 E, 14.6.2013, p. 72.

Amendment 9

Proposal for a directive Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) In order to meet the objectives of the 2011 White Paper on Transport, the revision of Directive 96/53/EC will present an opportunity to improve the safety and comfort of drivers, taking into account the requirements laid down in Council Directive 89/391/EEC^{1a} ('the Occupational Health and Safety Framework Directive').

^{1a} *Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 26.9.1989, p. 1).*

Amendment 10

Proposal for a directive Recital 7

Text proposed by the Commission

Amendment

(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

deleted

Article 4 (4) are clarified in this respect.

Amendment 11

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 equipped with low-carbon technologies should be permitted to exceed the maximum weight by up to one tonne, depending on the weight required for the technology. However, the extra weight should not increase the load capacity of the vehicle. The principle of technological neutrality should be maintained.***

Amendment 12

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 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.

Amendment 13

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-

Amendment

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selections for manual checks.

both the manual checks and the pre-selections for manual checks, ***based on a risk-rating system***.

Amendment 14

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 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, ***dissuasive and non-discriminatory***.

Amendment 15

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 respective contact points***, 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

Proposal for a directive Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) The Commission should review Annex I to Directive 96/53/EC and report on its implementation, taking into account, inter alia, impacts on international competition, modal split, costs of infrastructure adaption and the environmental and safety objectives of the European Union as set in the 2011 White Paper on Transport.

Amendment 17

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.***

(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 ***and underrun protective*** devices placed ***at the sides and*** in the rear of the vehicle or the design of new motor vehicles, ***with a view to 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 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 interested parties such as manufacturers, drivers, road safety associations, traffic authorities, and training centres. The Commission shall publish a report on the results of the consultation. The interested parties should be left sufficient time to***

comply with these requirements.

Amendment 18

Proposal for a directive

Article 1 – point 1

Directive 96/53/EC

Article 2 – subparagraph 1 – indent 15

Text proposed by the Commission

– ‘**hybrid propulsion vehicle**’ means *a vehicle within the meaning of Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such 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;*

Amendment

– ‘**low carbon technology**’ means *technology which does not fully rely on fossil oil sources in the energy supply to transport and which significantly contribute to the decarbonisation of transport. The sources include:*

- electricity,*
- hydrogen,*
- synthetic fuels,*
- advanced Biofuels,*
- natural gas, including biomethane, in gaseous form (compressed natural gas – CNG) and liquefied form (liquefied natural gas – LNG), and*
- waste heat.*

¹⁰ OJ L 263, 9.10.2007, p. 1.

Amendment 19

Proposal for a directive

Article 1 – point 1

Directive 96/53/EC

Article 2 – paragraph 1 – indent 14

Text proposed by the Commission

– ‘**electric vehicle**’ means *a vehicle within the meaning of Directive 2007/46/EC of*

Amendment

deleted

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 vehicles¹¹, equipped with one or more traction motor(s) operated by electric power and not permanently connected to the grid;

¹¹ OJ L 263, 9.10.2007, p. 1.

Amendment 20

Proposal for a directive

Article 1 – point 1

Directive 96/53/EC

Article 2 – subparagraph 1 – indent 16

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

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout)

Amendment 21

Proposal for a directive

Article 1 – point 2 – point a

Directive 96/53/EC

Article 4 – paragraph 1 – points (a) and (b)

Text proposed by the Commission

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

Amendment

deleted

Amendment 22

Proposal for a directive

Article 1 – point 2 – point b

Directive 96/53/EC

Article 4 – paragraph 4 – subparagraph 2 – first sentence

(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:’

Amendment 23

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 1

1. 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.

1. 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 ***by up to 500 mm***. 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 24

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – subparagraph 1 – indent 2 – point i

(i) secure attachment of the devices in such a way as to ***reduce their*** risk of their

(i) secure attachment of the devices in such a way as to ***ensure that there is no*** risk of

detachment *over time*

their detachment

Amendment 25

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – subparagraph 1 – indent 2 – point ii

Text proposed by the Commission

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

Amendment

(ii) day and night markings ***in accordance 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,

Amendment 26

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – subparagraph 1 – indent 2 – point iv a (new)

Text proposed by the Commission

Amendment

(iva) a design which does not reduce the driver's visibility of the rear of the vehicle,

Amendment 27

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 2 – subparagraph 1 – indent 3 – point iii

Text proposed by the Commission

Amendment

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

(iii) these devices can be easily folded, retracted or removed.

Amendment 28

Proposal for a directive

Article 1 – point 6

Directive 95/53/EC

Article 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The exceedances of maximum lengths do not increase the capacity of vehicles or combinations of vehicles.

Amendment

The exceedances of maximum lengths do not increase the **load** capacity of vehicles or combinations of vehicles.

Amendment 29

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 3

Text proposed by the Commission

3. 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

3. Before being put on the market, the additional aerodynamic devices and their installation on vehicles shall be authorised by the Member States **within the framework of Directive 2007/46/EC**. **Member States** 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 30

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 4

Text proposed by the Commission

4. 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

4. 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 delegated acts shall be, for the first time, adopted no later than 2 years after the publication of this**

Amendment 31

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

When exercising its power, the Commission shall ensure coherence with the Union's legal acts on type approval.

Amendment 32

Proposal for a directive

Article 1 – point 6

Directive 96/53/EC

Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. 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.

deleted

Amendment 33

Proposal for a directive

Article 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. 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

1. 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. 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.***

Amendment 34

Proposal for a directive

Article 1 – point 7

Directive 95/53/EC

Article 9 – paragraph 2 – subparagraph 1 – indent 2 – point i

Text proposed by the Commission

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

Amendment

(i) ***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 all around the cab, and, where necessary, by fitting additional equipment, such as mirrors and camera systems,***

Amendment 35

Proposal for a directive

Article 1 – point 7

Directive 95/53/EC

Article 9 – paragraph 2 – subparagraph 1 – indent 2 – point ii

Text proposed by the Commission

(ii) reduces the damage in the event of a collision,

Amendment

(ii) reduces the damage in the event of a collision ***with other vehicles and improves the energy absorption performance by fitting of an energy absorbing crash management system,***

Amendment 36

Proposal for a directive

Article 1 – point 7

Directive 95/53/EC

Article 9 – paragraph 2 – subparagraph 1 – indent 2 – point ii a (new)

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

Amendment 37

Proposal for a directive

Article 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 – subparagraph 1 – 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.***

Amendment 38

Proposal for a directive

Article 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2a) 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 referred to in Article 9(2) to be met by the driver's cabs 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 cab with safety features starting with a secure fire exit of the cab;

- the increase in size of the driver's cab to

adapt to comfort and safety requirements for driver's seats and couchettes taking into account emergency situations.

Amendment 39

Proposal for a directive

Article 1 – point 7

Directive 95/53/EC

Article 9 – paragraph 3

Text proposed by the Commission

3. 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

3. Before they are put on the market, the aerodynamic ***and safety*** performance of new motor vehicle designs shall be tested ***within the framework of Directive 2007/46/EC*** by Member States, who will issue a certificate to this end. This will certify compliance with the requirements of paragraph 2 above. ***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 Commission.*** The test certificates issued in one Member State shall be recognised by the other Member States.

Amendment 40

Proposal for a directive

Article 1 – point 7

Directive 96/53/EC

Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

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

Amendment 41

Proposal for a directive

Article 1 – point 7

Text proposed by the Commission

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 16, to complement the requirements which the new tractor cabs must meet, and which are 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

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 16 ***and in line with the existing UN ECE regulations*** to complement the requirements which the new tractor cabs must meet, and which are referred to in paragraph 2. These shall take the form of technical characteristics, minimum levels of ***safety and aerodynamic*** performance, design constraints, and procedures for the establishment of the test certificate referred to in paragraph 3. ***The delegated acts shall be, for the first time, adopted no later than 2 years after the publication of this Directive.***

Amendment 42

Proposal for a directive

Article 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.

Amendment 43

Proposal for a directive

Article 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.

Amendment 44

Proposal for a directive

Article 1 – point 10

Directive 95/53/EC

Article 11 – paragraph 1

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, if the road transport of the container or swap body is part of **a combined** transport operation.

Amendment 45

Proposal for a directive

Article 1 – point 10

Directive 95/53/EC

Article 11 – paragraph 2

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

By 2017, the Commission shall, if appropriate, make a legislative proposal to amend Directive 92/106/EEC and, in particular, the existing definition of combined transport, in order to take into account the development of containerisation and in view of facilitating the development of efficient intermodal transport.

Amendment 46

Proposal for a directive

Article 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 1

Text proposed by the Commission

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.

Amendment

1. 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.

Amendment 47

Proposal for a directive

Article 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 1 – subparagraph 2 (new)

Text proposed by the Commission

Amendment

Member States shall ensure that the information concerning the number and severity of any infringements of this Directive that an individual undertaking has committed is introduced into the risk rating system established under Article 9 of Directive 2006/22/EC.

Amendment 48

Proposal for a directive

Article 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

When identifying vehicles to be subject to checks, Member States may select as a priority vehicles operated by undertakings with a high-risk profile as referred to in Directive 2006/22/EC. Vehicles may also be selected randomly for checks.

Amendment 49

Proposal for a directive

Article 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 2

Text proposed by the Commission

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.

Amendment

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 **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, 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. **The onboard systems may be integrated with digital tachographs installed in vehicles in line with Regulation EU 2014/... (Regulation on recording equipment in road vehicles).**

Amendment 50

Proposal for a directive

Article 1 – point 11

Directive 95/53/EC

Article 12 – paragraph 6

Text proposed by the Commission

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

Amendment

6. In accordance with paragraph 1, **new N2 and N3** vehicles and vehicle combinations **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

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 responsible for regulating the transport of goods ***from [five years from the entry into force of this Directive]***. 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

Amendment 51

Proposal for a directive

Article 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 7 – indent 2 a (new)

Text proposed by the Commission

Amendment

– the common procedures and specifications to achieve a sufficient level of reliability that allows the onboard systems to be used for the enforcement of the provisions of this Directive, in particular of Article 13.

Amendment 52

Proposal for a directive

Article 1 – point 11

Directive 96/53/EC

Article 12 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. The Commission shall assess whether the onboard systems, when interconnected to the digital tachograph, can be useful to enforce other road transport legislation. The Commission shall, if appropriate, come forward with legislative proposals.

Amendment 53

Proposal for a directive

Article 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 2

Text proposed by the Commission

2. An overload of less than **5** % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 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 this type of penalty;

Amendment

2. An overload of less than **2** % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 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 this type of penalty.

Amendment 54

Proposal for a directive

Article 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 3

Text proposed by the Commission

3. An overload of between **5** and 10 % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered as a minor offence within the meaning of this Directive, and shall give rise to a **financial** penalty. The inspection authorities may also immobilise the vehicle for unloading until it reaches the maximum authorised weight;

Amendment

3. An overload of between **2** % and 10 % of the maximum authorised weight in points 2, 3, 4.1 and 4.3 of Annex 1 shall be considered as a minor offence within the meaning of this Directive, and shall give rise to a penalty. The inspection authorities may also immobilise the vehicle for unloading until it reaches the maximum authorised weight.

Amendment 55

Proposal for a directive

Article 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 4

Text proposed by the Commission

4. 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

Amendment

4. 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 penalty and the immediate

immediate immobilisation of the vehicle for unloading until it reaches the maximum authorised weight,

immobilisation of the vehicle for unloading until it reaches the maximum authorised weight,

Amendment 56

Proposal for a directive

Article 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 5

Text proposed by the Commission

5. 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 L 300, 14.11.2009, p. 51.

Amendment

5. 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 penalty.

Amendment 57

Proposal for a directive

Article 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 6

Text proposed by the Commission

6. 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

6. An excess length, *height or* width of less than **1** % 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 58

Proposal for a directive

Article 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 7

Text proposed by the Commission

7. 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

7. An excess length, **height or** 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 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);

Amendment 59

Proposal for a directive

Article 1 – point 12

Directive 96/53/EC

Article 13 – paragraph 8

Text proposed by the Commission

8. 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

8. An excess length, **height or** 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 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.

Amendment 60

Proposal for a directive

Article 1 – point 13

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, ***in advance of loading, 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 container shall be signed by a person duly authorised by the shipper. If the information on the gross weight of the container*** is missing or incorrect, the shipper shall incur liability in the same way as the haulier if the vehicle is overloaded.

Amendment 61

Proposal for a directive

Article 1 – point 13

Directive 95/53/EC

Article 14 – paragraph 2

Text proposed by the Commission

Amendment

In intermodal transport operations, the information on the gross weight of a packed container shall be provided to the next party taking custody of the container.

Amendment 62

Proposal for a directive

Article 1 – point 15

Directive 96/53/EC

Article 16 – paragraph 2

Text proposed by the Commission

Amendment

2. 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]

2. 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 ***five years*** from [the 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 nine months before the end of the five-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.

Amendment 63

Proposal for a directive
Article 1 – point 15 a (new)
Directive 96/53/EC
Article 16 a (new)

Text proposed by the Commission

Amendment

(15a) The following Article shall be added:

Article 16a

Reporting

By 2016, the Commission shall review Annex I to Directive 96/53/EC and submit a report on its implementation to the European Parliament and the Council. On the basis of this report, the Commission, shall, if appropriate, make a legislative proposal duly accompanied by an impact assessment. The report shall be made available at least 6 months prior to any legislative proposal.

Amendment 64

Proposal for a directive
Article 1 – point 15 b (new)
Directive 96/53/EC
Article 16 b (new)

Text proposed by the Commission

Amendment

(15b) The following Article shall be added:

Article 16b

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 in Article 9(2) for all new M2 and M3 vehicles.

Amendment 65

Proposal for a directive

Article 1 – point 16 – point -a (new)

Directive 96/53/EC

Annex I – point 1.1 – indent 8 a (new)

Text proposed by the Commission

Amendment

(-a) The following indent shall be added to point 1.1:

- ‘loaded vehicle transporters: 20,75m’

Amendment 66

Proposal for a directive

Article 1 – point 16 – point a a (new)

Directive 96/53/EC

Annex I – point 1.4

Present text

Amendment

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

(aa) Point 1.4 is replaced by the following:

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.***

Amendment 70

Proposal for a directive

Article 1 – point 16 – point b

Directive 96/53/EG

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 **feet**: 44 tonnes

Amendment 67

Proposal for a directive

Article 1 – point 16 – point c

Directive 96/53/EC

Annex I – point 2.3.1 – indent 2

Text proposed by the Commission

'two-axle motor vehicles other than buses, and with hybrid or electric propulsion: 19 tonnes'

Amendment

deleted

Amendment 68

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

'two-axle buses: **19** tonnes'

Amendment

'two-axle buses: **19.5** tonnes'

Amendment 69

Proposal for a directive

Article 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 shall be added:
2.3.4 Vehicles equipped with low carbon technology:

The maximum weight is that mentioned in point 2.3.1, 2.3.2, 2.3.3 or 2.4 increased by the additional weight required for the low carbon technology, 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 2.3.1., 2.3.2, 2.3.3 or 2.4 shall apply.