



Council of the
European Union

Brussels, 30 January 2019
(OR. en)

5829/19

Interinstitutional File:
2018/0130(COD)

TRANS 55
CODEC 219

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	ST 5396/19 + COR 1
No. Cion doc.:	ST 9144/18
Subject:	Proposal for a Decision of the European Parliament and of the Council amending Council Directive 96/53/EC as regards the time limit for the implementation of the special rules regarding maximum length in case of cabs delivering improved aerodynamic performance, energy efficiency and safety performance – Negotiation mandate

Delegations will find, attached, the mandate endorsed by the Permanent Representatives Committee on 30 January 2019, in view of negotiations with the European Parliament.

Proposal for a
DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Council Directive 96/53/EC as regards the time limit for the implementation of the
special rules regarding maximum length in case of cabs delivering improved aerodynamic
performance, energy efficiency and safety performance

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

¹ OJ C [...], [...], p. [...].

² OJ C [...], [...], p. [...].

- (1) Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic for certain road vehicles circulating within the Community and the maximum authorised weights in international traffic³ was amended by Directive (EU) 2015/719 of the European Parliament and of the Council⁴ with the aim of reducing energy consumption and greenhouse gas emissions, and to adapt the legislation to technological developments and changing market needs and to facilitate intermodal transport.
- (2) The improved aerodynamics of the cabs of motor vehicles would allow significant gains on the energy performance of vehicles. However, this improvement was impossible under the maximum length restrictions set out by Directive 96/53/EC without reducing the vehicle load capacity. Therefore, a derogation from maximum length restrictions was introduced by Directive (EU) 2015/719.
- (3) Directive (EU) 2015/719 also included a moratorium of three years for the introduction of aerodynamic cabs after the date of transposition or application of the necessary amendments as regards technical type-approval requirements.
- (4) With a view for the benefits of aerodynamic cabs, in terms of energy performance of heavy goods vehicles, but also in terms of better visibility for drivers, safety to other road users as well as safety and comfort for drivers, to materialise as early as possible, it is necessary to ensure that such aerodynamic cabs can be introduced without unnecessary delay, as soon as the necessary type-approval requirements are in place.

³ OJ L 235, 17.9.1996, p. 59.

⁴ Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 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 (OJ L 115, 6.5.2015, p. 1)

(4a) The transport sector and equipment manufacturers need sufficient time to develop new services and products. In order to reap the benefits of more flexible design rules for cabins, it is important that the Commission ensures that the necessary technical provisions are adopted as soon as possible to allow a smooth and swift entry into the markets of a new generation of cabins.

(5) Council Directive 96/53/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1

In Article 9a, paragraph 2, the second sub-paragraph, after point (d), is replaced by the following:

'To that end, the Commission shall take the measures necessary, within the framework of Directive 2007/46/EC, to provide for the type-approval of vehicles or vehicle combinations referred to in paragraph 1 by [*OP: please insert date of 3 months from the entry into force of the present decision*].'

In Article 9a of Council Directive (EU) 96/53/EC, paragraph 3 is replaced by the following:

'(3) Paragraph 1 shall apply from 15 months from the entry into force of the measures referred to in the second sub-paragraph of paragraph 2.'

Article 2

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels,

For the European Parliament

The President

For the Council

The President