



Divergent weight and dimension requirements in road freight transport

This paper highlights the diverging weight and dimension requirements for vehicles and vehicle combinations in freight transport.

CONTEXT

Transport is a key pillar of the Single Market, allowing for the free movement of goods in the EU. The cost and efficiency of transport services directly affect trade flows, mobility, and the competitiveness of European companies. The COVID-19 pandemic has further demonstrated the importance to keep freight moving freely and efficiently across the EU, due to supply chain disruptions that resulted from unilateral measures imposed by Member States.

The EU, from a geographic and logistic perspective, is a fragmented market with different conditions and requirements on transportation at national level, depending on Member States' national geography, international location within the EU and industry pattern. Flexibility in freight transport, rather than a "one-size-fits-all"-approach, regarding permissible weights and dimensions for vehicles provided for in EU legislation has offered increased opportunities for companies to develop innovative and efficient vehicle concepts and transport solutions, bearing potential for increased sustainability, improved road safety and limited congestion and capacity shortage.

Yet, at the same time, due to fragmentation and a patchwork of legislation at national level, companies in the freight transport face the risk of being confronted with significant regulatory barriers, hampering business opportunities, fair competition and ultimately efficiency, sustainable development, growth and job creation. Divergences at national level both regarding the possibility and permissibility of cross-border freight traffic with different weights and dimensions for vehicles and vehicle combinations, as well as the interpretation and transposition of the respective EU legislation have rendered road transport less efficient and hindered the functioning of the Single Market.

LEGAL FRAMEWORK

Directive 96/53/EC regulates the permissible dimensions and weights for vehicles and vehicle combinations in international traffic. Currently, the maximum length of vehicles for cross-border use in the EU is limited to 16,5 meters for articulated vehicles and 18,75 meters for combination of vehicles and weighing up to 40 tonnes. Moreover, in accordance with Article 4, the current EU rules allow for deviating standards in national transport, provided that international competition in the transport sector is not affected. The overarching principle of the Directive was to create correct conditions to further open the market, without creating distortions of competition. In practice, however, views on the



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permissibility and interpretation of vehicles' dimensions and weights have diverged within the EU, particularly regarding cross-border transport. These divergences jeopardise the free movement of goods and the Single Market for road transport services. As part of the Sustainable and Smart Mobility Strategy, and with the aim to align the current EU rules with the EU's objectives to ensure the smooth functioning of the Single Market and reduce greenhouse gas emissions from transport, the European Commission is evaluating the Directive's application with a view to publish a revised Directive in the second quarter of 2023 as part of the Greening Freight Package.

EXAMPLE

Practices in several Member States show that higher weights and dimensions¹ in road freight transport allow for a reduction in CO₂ emissions, as well as traffic and capacity relief. However, the current basic limitation of cross-border traffic to 40 tonnes and 18.75 meters has led to distortive situations all over the EU, given that several Member States have adopted different maximum tonnages levels and allowed diverging limits on dimensions at national levels. The fragmentation among Member States has forced companies operating in international road freight transport in Europe to comply with divergent rules regarding the maximum length and weights of vehicles and vehicle combinations for cross-border use, sometimes obliging operators to partly unload their vehicles between two Member States when they both accept higher capacities at national level. This leads to unwanted additional operations and additional vehicle moves and miles for shorted distances, which results in unnecessary CO₂ emissions, contradicting the EU's ambitious climate goals as laid down in the EU Green Deal, and adds further pressure on driver shortages and challenges in terms of capacity in the market.

HOW TO ACHIEVE BETTER RESULTS

Since many years, businesses representing shippers, freight forwarders, OEMs and transporters have been confronted with a fragmented market in international road freight transport in Europe. In view of the upcoming revision of the Directive, taking into account existing practices and agreements between and within Member States and in full respect of the principle of subsidiarity, we propose the following solutions to be considered to protect the Single Market, enhance the efficiency of road transport, and promote the EU Green Deal objectives:

- When revising the permissible weight and authorised dimensions for road freight transport across the EU, an assessment must be carried out, examining the impact on:
 - I. The EU freight transport market, including rail freight transport and inland waterway transport
 - II. The road transport infrastructure and related maintenance and upgrading requirements
 - III. Intermodal transport (e.g., permissible total weight in combined transport) and equipment
 - IV. Energy efficiency and CO₂ reduction in the transport sector

¹ Some Member States increasingly promote the use of Longer Heavier Vehicles (LHV), reaching lengths of up to 25.25m or 34m, while at the same time allowing a higher maximum permissible weight of up to 74 tonnes.



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- Member States can *differentiate upwards* on their national territory (which would be supported by their national infrastructure system).
- *Exceptions downwards* can only be clearly and scientifically motivated for specific fragile parts of the infrastructure.
- Higher weights and dimensions should be allowed for *cross-border* transport between like-minded states, taking into account, however not requiring, existing practices and agreements between Member States.
- Member States would not be allowed to apply a maximum limit for international road freight transport that is lower than the national maximum limit.
- Deviations in weights and dimensions should not be conditioned upon the use or deployment of any specific technology or the use of the vehicle for specific purposes.
- Member States must avoid applying measures leading to a competitive disadvantage for eco-friendly vehicles. Exceptions to the maximum weights and dimensions of vehicles equipped with features and/or equipment designed to increase energy efficiency and/or reduce greenhouse gas emissions should therefore be allowed.

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