

## POLICY RESPONSE

### Revision of the Weights and Dimensions Directive

CLECAT, the European Association for Forwarding, Transport, Logistics and Customs Services, welcomes the [Commission proposal](#) to revise the [Directive 96/53/EC](#), setting standards for the maximum authorised weights and dimensions of heavy-duty vehicles used in national and international transport. In a context of structural shortage of drivers and the need to decarbonise freight transport, this timely initiative should help maximise the efficiency of road freight transport sector and incentivise the shift to zero-emission vehicles.

The freight forwarding sector is committed to ambitious European decarbonisation goals and is willing to actively contribute to the substantial reduction of GHG emissions from its transport and logistics operations. However, the discrepancy between the maximum authorised weights in some Member States' territory and maximum authorised weight for cross-border transport hinders the free movement of goods, leading to inefficiencies, higher emissions and legal uncertainty. It is therefore of utmost importance that the revision of the Directive should clarify these rules and open the door for certain the wider use of high-capacity vehicles.

While certain provisions of the proposal such as allowing cross-border operations of EMS vehicles are particularly appreciated, CLECAT is concerned that some of the provisions would not permit to maximise the efficiency of road freight transport to its fullest, increasing the number of journeys and GHG emissions. This paper provides some suggestions for amendments to the proposal which CLECAT considers crucial to face the current and upcoming challenges of the road transport industry.

#### Key messages of European Freight Forwarders

- Allowing extra weight for zero-emission vehicles is welcomed, but it should be restricted to the extra weight of the zero-emission technology, to maintain a level-playing field with conventional vehicles.
- The provision allowing cross-border operations with 44-tonne conventional truck between Member states allowing their circulation in national traffic should not be limited in time, and therefore extended after 2034.
- The Directive should clearly indicate that Member States still have the possibility to authorise cross-border transport operations with heavier/longer/higher vehicles between countries that allow their circulation in national traffic.
- The provisions allowing cross-border operations with EMS vehicles are particularly appreciated. Research studies on the use of EMS can dismiss possible concerns regarding reverse modal shift or reduced road safety.

### **Extra weight and length for zero-emission vehicles**

CLECAT takes note of the Commission proposal to allow extra weight – up to 4 tonnes, and extra length – up to 90 cm, for zero-emissions vehicles to compensate for the weight and bulk of zero-emission propulsion systems and associated equipment, both in road-only and intermodal transport. However, we are concerned by the deletion of the condition that the maximum additional weight of zero-emission HDVs is limited to the weight of the zero-emission technology. CLECAT is of the view that the wider use of longer and/or heavier vehicles should not be limited to alternatively fuelled trucks. **The Directive should not favour a specific propulsion technology over another by allowing higher payloads.**

As we understand that alternative powertrains, especially zero-emission vehicles, generally have a higher weight than conventional vehicles when empty, the Directive can be adjusted to maintain an equal payload and level-playing field between zero-emission and conventional vehicles. **It is therefore important to reintroduce the restriction of allowing extra payload for ZET limited to the extra weight of the zero-emission technology.**

### **Cross-border operations with heavier trucks**

CLECAT welcomes the proposed new Article 4b **allowing the use of 44-tonne HDVs running on fossil fuels in international road-only operations** between Member States that accept such heavier vehicles in national operations. This provision would thereby remove artificial barriers to the cross-border movement of heavier trucks, which led to an increased number of vehicles on the road and increased emissions, such as between France and Belgium for example. However, the provision should not be limited in time for conventional vehicles. There are still uncertainties with regards to the deployment of zero-emission technologies which will greatly rely on the outcome of the proceedings on the CO2 standards for heavy-duty vehicles. Therefore, **the provision should continue to apply after 2034.**

In parallel, CLECAT maintains that **the EU legal framework should not overrule national rules on weights and dimensions and should not restrict the possibility to authorise cross-border transport operations with heavier/longer/higher vehicles between consenting Member States** that allow their circulation in national traffic, as it is already the case between Finland and Sweden for example. It is still unclear whether the proposal clarifies such measure. CLECAT therefore calls on the Parliament and the Council to make sure that the Directive would allow international operations of heavier/longer/higher vehicles in Member States allowing their circulation in national traffic without the need for specific permit or agreements.

### **Cross-border operations with EMS vehicles**

CLECAT particularly welcomes the Commission's proposal to include a new paragraph 4a in Article 4 **laying down the conditions for the circulation of European Modular System (EMS) vehicles.** Allowing cross-border operations with EMS trucks between countries permitting them in their territories and extending the geographical scope of trials for such vehicles is a great step forward in maximising road transport efficiency.

We note that these provisions are facing some resistance from different stakeholders and policymakers, citing concerns of potential reverse modal shift or compromising road safety. The Commission also noted these concerns in the impact assessment report accompanying the proposal

but has found no robust arguments or evidence of such concerns. The scientific literature analysing the impacts of EMS and more generally high-capacity vehicles also note no particular issues regarding modal shift or road safety:

*No significant reverse modal shift to road*

CLECAT would like to remind that as the overall demand for freight transport is expected to significantly increase over the next years/decades, there is a need to absorb this demand by all modes of transport: the Commission estimates that heavy-goods vehicle activity is projected to go up by 30% by 2030 relative to 2015 (57% for 2015-2050), while rail freight traffic is projected to grow significantly faster than for road, by around 42% by 2030 relative to 2015 (and 91% between 2015-2050). It is therefore important to maximise the efficiency of all modes, including road transport.

Allowing HCVs, designed to carry more cargo than standard trucks, could thus provide a highly effective solution. According to the [2019 International Transport report](#) on HCVs, it has been estimated that HCVs can reduce carbon emissions per unit of freight by 15-40%, depending on the vehicle configuration and use. Importantly, evidence from logistics operators that have made use of EMS suggests that such vehicles have not substituted rail or inland waterway travel, but rather led to the replacement of conventional 40-tonne trucks. This is because the choice of mode is rather determined by factors such as the distance travelled, geographical areas, the value of goods transported or their volume, all of which can differ between road, rail and maritime.

Overall, according to the Commission's impact assessment, reverse modal shift is estimated at 4.9 billion tonne-kilometres in 2030 and 5.5 billion tonne-kilometres in 2050 relative to the baseline, which represents only 0.7% of the total rail and inland navigation activity in the baseline in 2030 and 0.6% in 2050.

In addition, CLECAT believes that the use of longer/heavier vehicles will also encourage the development of intermodal operations, with fewer trucks carrying bigger volumes of goods on the road legs of intermodal operations. As CLECAT represents freight forwarders operating all modes of transport, it is necessary to lift the regulatory and operational barriers hampering the uptake of intermodal transport. In parallel to allowing cross-border operations with longer/heavier vehicles, supporting the shift from road-only to intermodal transport is therefore essential both in this proposal and in the upcoming proposal to revise the Combined Transport Directive.

*No significant negative impact on road safety*

With regards to road safety, several studies conclude that there is no clear evidence that longer combinations of vehicles would decrease safety. While there could be an increased safety risk from EMS vehicles as they are longer and heavier than conventional trucks, these concerns are offset by the reduction in the number of kilometres driven by these vehicles compared to standard trucks, as fewer trips are needed to carry the same volume of goods. The risk per kilometre of EMS vehicles is then lower when compared to standard vehicles.

A safety study on transport in Sweden<sup>1</sup> quoted by the ITF report found that combinations exceeding the EU length limit of 18.75m were involved in less fatal or severe crashes per billion vehicle/km/tonne

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<sup>1</sup> Bálint, A. et al. (2014), *Accident analysis for traffic safety aspects of High Capacity Transports*. Final Report v.2, Chalmers

than regular European Union combination freight vehicles. A [review of the data](#) in the ITF study also indicated a reduced accident rate in all countries surveyed worldwide for high capacity vehicles compared to conventional trucks. In addition, the Steer Davies Gleave report “[A review of megatrucks – Major issues and case studies](#)” published in 2013 for the European Parliament noted that longer combinations of vehicles might even improve safety due to reduced truck mileage.

Other drivers could explain these numbers, including the fact that EMS vehicles are fitted with additional safety features, are driven on very specific parts of the road network (highways etc), reducing their exposure to risk with vulnerable road users, and that road hauliers chose their most-experienced drivers to drive these vehicles. Several countries also require specific training for EMS vehicles which should ensure better acknowledgement of the size and weight of these vehicles, reducing the risk of accidents.

Overall, allowing cross-border operations with HCV/EMS vehicles would help operators and customers alike optimising the utilisation of trucks and trailers, road infrastructure capacity, and integration with other modes of transport such as rail, air, inland and short-sea shipping for the door-to-door logistics solutions, without compromising on road safety. The use of longer and heavier trucks could also alleviate the structural shortage of drivers, which is expected to worsen in the coming years, by reducing the number of trucks needed on EU roads.

### **Other provisions**

CLECAT also welcomes the provision allowing maximum length to be exceeded by 15 cm for vehicles engaged in the transport of 45-foot containers or 45-foot swap bodies, provided that it is part of an intermodal transport operation. This measure eliminates an artificial barrier which prevents the development of intermodal transport operations with standardised container bodies.

It is also appreciated that the Commission proposes to simplify and streamline the procedures for issuing national authorisations or adopting similar provisions for the carriage of indivisible loads, which would greatly minimise the administrative burden on operators and avoid delays.

Finally, we call on the Parliament and the Council to swiftly negotiate and adopt the Commission proposal before the end of the legislative work due to the upcoming European elections in spring 2024. Postponing the adoption of the proposal after the elections and the formation of a new European Commission may delay the implementation of the Directive for several months or even years, which would undermine the efforts of the European road freight industry to maximise its efficiency to easily reduce the number of journey and GHG emissions.

CLECAT remains at the disposal of interested parties for any further information.

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