

COM-3/029

Brussels, 1 October 1999

OPINION

of the

Committee of the Regions

of 16 September 1999

on the

Proposal for a Council Directive amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorised weights in international traffic

(COM(1998) 414 final - 98/0227 COD ex-SYN)

The Committee of the Regions,

HAVING REGARD TO the list of Commission proposals pending on 1 May 1999 for which the entry into force of the Amsterdam Treaty entails a change in the legal basis and/or procedure (SEC (1999) 581 final);

HAVING REGARD TO the Proposal for a Council Directive 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 (COM(1998) 414 final - 98/0227 COD ex-SYN)¹;

HAVING REGARD TO the Council decision, as notified by letter of 14 June 1999, to consult it on the matter, under Articles 261 (first paragraph) and 71 of the Treaty establishing the European Community;

HAVING REGARD TO the decision taken by its Bureau on 15 September 1999 to appoint Mr Walsh (UK, ELDR) as rapporteur-general, with a view to drawing up an opinion on the matter in accordance with rule 39 of its rules of procedure;

adopted the following opinion unanimously at its 30th plenary session of 15 and 16 September 1999 (meeting of 16 September).

1. Introduction

1. Council Directive 96/53/EC deals with, amongst other matters, the introduction of 44-tonne lorries onto Europe's roads. The European Commission proposal is to modify that Directive to permit a range of vehicles over 40-tonnes all with 11.5-tonne drive axle weights for combined transport.
2. Notwithstanding its support for combined transport generally the European Parliament, in its first reading on 15 April 1999, rejected the Commission proposal and requested alternative options.
3. The key question for local and regional authorities is whether the proposed transport units will cause more damage to road infrastructure and require strengthening of that infrastructure, notably bridges, insofar as local and regional authorities have responsibilities in this area.

2. Detailed consideration

1. The European Commission proposal seeks to modify the 1996 Directive in respect of maximum weight limits for certain types of vehicles in combined transport:
 - 44-tonnes for drawbar-trailer combinations where both vehicle and trailer each have three axles;
 - 44-tonnes for articulated vehicles where the tractor unit has three axles and the semi-trailer either two or three axles;
 - 42-tonnes for articulated vehicles where the tractor unit has two axles and the semi-trailer three axles.

These vehicles would be allowed a maximum axle drive weight of 11.5-tonnes.

2. The 11.5-tonne drive axle weight means that these vehicles will cause about 30% more road wear than vehicles with 10.5-tonne drive axles. Road wear is proportional to the weight on a vehicle axle, raised to the fourth power. On this basis, calculation can show that the 44-tonne six-axle articulated lorry is more road friendly than the 44-tonne five-axle vehicle. The 44-tonne vehicle (with road-friendly suspension) is less onerous for the road infrastructure, including bridges, than the EU sanctioned 38-tonne or 40-tonne 5-axle vehicle. If the Council Directive were amended to include the 42-tonne vehicle discussed above, then there would be significant costs to many highway authorities. It would result in extra road damage and would require extensive bridge strengthening.
3. Council Directive 96/53/EC recognises :
 - that the increase of lorry weights to 44-tonnes requires 'a balance between the rational and economical use of commercial road vehicles and the requirements of infrastructure

maintenance.' (para. 5 of preamble);

- that "in the case of modular concept operations (inter-modal) there should be a transition period to enable a Member State to adapt its road infrastructure" (para. 18 of preamble);
- that Member States which have to adapt their road infrastructure in order to permit vehicles complying with Annex 1 may nevertheless prohibit until December 2003 at the latest vehicles which exceed current national standards. (Article 4 para. 4)

4. In summary, where Council Directive 96/53/EC requires the adaptation of the road infrastructure (presumably including bridges) at the public expense, Member States will be given a period of grace up to December 2003 in which to carry out the necessary adaptation. Funds would need to be provided for any necessary strengthening of bridges in the road infrastructure but there would still be additional wear and tear to highway surfacings (see below.)

3. **Overloading of lorries**

1. The overloading of heavy goods vehicles is an issue of continuing concern. In addition, during the last year the mis-use of "road-friendly" suspensions has become a cause for concern. Operators have been observed running with "tag-axles" lifted clear of the ground under conditions where they are fully loaded, thereby overloading the remaining drive axle. Systems are therefore required to ensure that axle configurations in vehicles equipped with "road-friendly" suspensions are operated in the way the designer intended.

4. **Arguments against the 44-tonne (and 42-tonne) vehicles**

1. The arguments against the 44-tonne vehicles and the recently proposed 42-tonne vehicle are well made in the European Parliament's consideration of the issue:
 - The proposals would be a first step towards a general 44-tonne limit for road transport, which would be undesirable because of the risk of damage to infrastructure in some Member States;
 - The proposals would be likewise undesirable in view of the forthcoming accession of a number of applicant countries whose infrastructure was not yet ready to cope with such heavy vehicles.
2. Although the European Parliament has always expressed itself in favour of combined transport (i.e. inter-modal operations), this did not mean that any proposal could be accepted in the name of combined transport. The Parliament has rejected the Commission proposal in the interests of European citizens and the environment.
3. The debate regarding the balance to be struck between the economical use of commercial road vehicles and the requirements of infrastructure maintenance is one which has wider implications than just the strengthening of bridges:

The proposed increase in size and weight of lorries has implications for highway maintenance.

Although 44-tonne (or 42-tonne) vehicles may be perfectly acceptable on motorway and trunk roads, their presence can be overwhelming and out of place on the local road network. Here the roads and bridges are generally narrower and of lower standard; conflicts often arise between heavy goods vehicles and other categories of road user, e.g. pedestrians and cyclists.

4. The Committee rejects arguments for permitting the introduction of 44-tonne (or 42-tonne) lorries on certain routes. If the economic argument on transport costs is correct, then industry relying on such "combined transport operations" would tend to re-locate in areas adjacent to such routes. This may benefit towns and cities undergoing rapid development but penalise old-established industrial areas which grew up before the advent of the 20th century main road networks. For these reasons, any increase in dimensions and weight is unacceptable
5. It should also be noted that inter-modal operations do not always take place between local railheads and distribution points. For example, in the UK a major supermarket chain is currently using a trans-shipment depot in the Midlands of England to serve Scottish outlets, using 44-tonne lorries for the journey.

5. Conclusions

1. The Committee rejects the introduction both of 44-tonne vehicles and of 42-tonne articulated vehicles where the tractor unit has two axles and the semi-trailer three axles.
2. Compliance with size and weight requirements for heavy goods vehicles should be monitored.
3. Increased or re-directed local and regional resources should be directed to the policing and control of overloaded heavy lorries.

Brussels, 16 September 1999

The President

The Acting Secretary-General

of the

of the

Committee of the Regions

Committee of the Regions

Manfred Dammeyer

Vincenzo FALCONE

¹ OJ. No. C 261, 19.8.1998, p. 13

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