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Report

drawn up on behalf of the Committee on Transport

on the proposal from the Commission of the European Communities to the Council (Doc. 575/78) for a directive on the weights and certain other characteristics (not including dimensions) of road vehicles used for the carriage of goods

Rapporteur: Mr A. CAROSSINO

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By letter of 16 January 1979 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the proposal from the Commission to the Council for a directive on the weights and certain other characteristics (not including dimensions) of road vehicles used for the carriage of goods.

The President of the European Parliament referred this proposal to the Committee on Transport as the committee responsible and to the Committee on Economic and Monetary Affairs, the Committee on Energy and Research and the Committee on the Environment, Public Health and Consumer Protection for their opinions.

On 31 October 1979 the Committee on Transport appointed Mr CAROSSINO rapporteur.

It considered the proposal at its meetings of 5 October 1979, 31 October 1979, 27 November 1979, 31 January 1980, 28 February 1980, 30 May 1980, 18 June 1980, 25 September 1980 and 29/30 January 1981. At the latter meeting the committee adopted the motion for a resolution and explanatory statement by 11 votes to 2 with 6 abstentions.

Present: Mr Seefeld, chairman; Mr Carossino, vice-chairman and rapporteur; Mr Albers, Mr Buttafuoco, Mr Cottrell, Mr Doublet, Mr Gabert, Mr Gendebien, Lord Harmar-Nicholls, Mr Janssen van Raay, Mr Key, Mr Klinkenborg, Mr Markozanis (deputizing for Mr Dalacouras), Mr Moorhouse, Mr Moreland, Mr Turner (deputizing for Dame Shelagh Roberts), Mr Veronesi (deputizing for Mr Cardia), Mrs Von Alemann (deputizing member) and Mr Voyadzis.

The opinions of the Committee on Economic and Monetary Affairs, the Committee on Energy and Research and the Committee on the Environment, Public Health and Consumer Protection are attached

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A

The Committee on Transport hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive on the weights and certain other characteristics (not including dimensions) of road vehicles used for the carriage of goods

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council¹,
- having been consulted by the Council (Doc. 575/78),
- having regard to the report of the Committee on Transport and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Energy and Research and the Committee on the Environment, Public Health and Consumer Protection (Doc.1-865/80),
- having regard to the previous reports of the Committee on Regional Policy and Transport on maximum vehicle dimensions and weights (Doc. 58/63 and Doc. 173/71),
- recalling the resolution adopted by the European Parliament on 16 January 1979² on the present state and progress of the common transport policy and in particular paragraph 1 thereof calling for 'the immediate introduction of a coherent common transport policy',
- having regard to Article 75 of the EEC Treaty which provides, inter alia for 'common rules applicable to international transport to or from the territory of a Member State or passing across the territory of one or more Member States',
- having regard to the Council resolution concerning new lines of action by the Community in the field of energy savings³,
- believing that the harmonization at Community level of the weight restrictions on road vehicles used for the carriage of goods is an effective way of deterring unilateral national increases in such restrictions,
- whereas road transport accounts for over two-thirds of total energy consumption in the Community transport sector, although a considerable proportion of long-distance goods traffic could more profitably be carried by rail, inland waterway or sea,

¹ OJ No. C 16, 18.1.79, p.3

² OJ No. C 39, 12.2.79, p.16

³ OJ No. C 149, 18.6.80, p.3

- whereas it has not hitherto been possible to produce substitute fuels in sufficient quantities to reduce significantly consumption of petroleum products for road transport purposes and that no major breakthrough in this regard can be expected in the short term,
 - whereas an essential condition for the implementation of the objectives laid down in Article 74 of the Treaty on the creation of a common transport policy is the adoption of common rules applicable to international and inter-Community transport and whereas the harmonization of vehicle weights and dimensions is an essential element in such rules,
 - whereas the harmonization of vehicle weights and dimensions is an essential condition for achieving a stable and open market, for creating a common market in heavy goods vehicles and for adapting road taxes and fuel oil taxes,
 - whereas until such a decision has been taken, a vital element will be lacking in future transport planning, an element which directly affects the building of roads, the development of the rail network, the motor vehicle industry and, of course, transport service operators and users,
 - whereas at the same time the protection of the environment, the adoption of effective safety measures and the heavy cost of roadbuilding impose limitations on increases in the weights and dimensions of vehicles and mean that a way must be found to reconcile such diverse and equally important demands,
 - recalling that an agreement such as that proposed by the Commission, however limited, has been awaited for a number of years and that all the arguments for and against increasing vehicle weights have been fully set out and discussed by public opinion,
1. Approves the Commission's proposal in general, since it opens the way towards the harmonization of road vehicle weights, and asks for further studies to be carried out on the technical questions raised in paragraphs 5 and 7 below;
 2. Points out the somewhat restrictive nature, having regard to progress made in the past and the serious problems now emerging, of the Council's request to the Commission in December 1975 'to develop a practical solution to the problem of vehicle weights and dimensions in the Community'¹;
 3. Considers however that the 'step-by-step' approach epitomized by this proposal, can be justified only within the context of a coherent overall approach to the establishment of a common transport policy and an effective transport network;

¹ COM(78) 728 final, page 1

4. Notes the conclusion of the report recently submitted to the United Kingdom Minister of Transport that 'so far as possible lorry standards and regulations should be determined on an EEC basis';
5. Believes that the Commission proposal under consideration is limited and does not reflect such an overall approach since:
 - (i) it does not take sufficient account of the fact that the energy crisis affecting the industrialized countries and the Community in particular has grown significantly worse and that as a result priority must be given to energy savings;
 - (ii) there is a need to consider the results of current studies and research in a number of Community countries on suspensions and tyres and on the optimum relationship between the maximum axle weight, the axle spacing and the amount of damage to road surfaces, bridges and buildings, the extent of vehicle overloading, the reduction of energy consumption and increasing safety;
 - (iii) it does not harmonize all the important technical characteristics of heavy goods vehicles;
6. Notes that the Committee on the Environment, Public Health and Consumer Protection decided, by a very narrow majority¹ that the Commission's proposal was 'unreasonable', and called upon the Commission, in the light of the committee's opinion, to carry out regular reviews of the situation on transport by rail, sea and waterway in order to assess the feasibility of transferring the carriage of certain goods to these modes of transport;
7. Requests the Commission, bearing in mind the different objectives of earlier studies and with a view to obtaining more comprehensive documentation, to undertake and coordinate further studies on:
 - (i) the optimum consumption per tonne per km for road vehicles;
 - (ii) damage characteristics of vehicles especially in relation to roads, bridges and buildings and with reference to the effect of different axle spacings on these characteristics;
 - (iii) the desirability of fitting vehicles with devices to limit speed and of laying down, according to their weight and category, their maximum and possibly minimum speeds;
 - (iv) lorry-routing and the designation of no-go areas for lorries, and to report to Parliament on the results of these studies by 31 December 1981;

¹ 7 votes to 6

8. Calls upon the Commission to inform Parliament of progress made towards the fixing of the noise limit for heavy goods vehicles at 80 decibels by 1985 at the latest, in pursuance of the declaration by the Council of Ministers to this effect in 1977;
9. Points out that agreement on harmonization will facilitate the control of compliance with standards for noise, emission, braking and lighting, thereby improving the present situation as regards pollution and road safety, facilitating controls of vehicles on the road and preventing overloading which is a frequent cause of fatal accidents;
10. Maintains that an increase in vehicle weights would lead to a reduction in the rate of increase in the number of heavy goods vehicles on the road;
11. Supports the request made by various trade union organizations that concrete measures should be taken, in conjunction with the directive on weights, in the field of social legislation to improve working conditions of drivers and help to increase the safety of transport;
12. Believes, moreover, that harmonization in this area, as well as ensuring more effective competition between the various modes of transport, should promote the increased utilization of combined modes of transport, thereby also helping the railways to strengthen considerably their contribution to Community transport;
13. Stresses, in view of the particular dependence on road haulage, as against other modes, of the Community's peripheral regions, the significance of the harmonization of vehicle weights for the Community's regional policy;
14. Calls upon the Member States to implement a stricter enforcement of control in the loading of vehicles accompanied by stiffer penalties for infringement of the regulation, and asks that consideration be given to procedures for the prosecution of vehicle owners situated in Member States other than the one in which infringement takes place;
15. Believes that a provisional solution might be found, as has been suggested in various quarters, in reaching an agreed value for the gross vehicle weight per driving axle for the most widely used vehicle in intra-Community transport (vehicle combinations, road trains or articulated vehicles with five axles and 40 tonnes total weight) and believes that if the Community were to adopt this solution it would be making a valuable contribution to transport which would thus benefit from increased productivity and energy savings;

16. Aware, however, of the limited nature of the proposals put forward, which could not achieve complete harmonization, calls upon the Commission to continue studies to determine all the optimum technical standards on loads and dimensions of industrial vehicles of the future, taking into account progress made in automobile technology and the need to pursue the prime objectives of energy saving, greater safety and less damage to the environment;
17. Insists that the entry into force of the directive should be accompanied by the entry into force of the directive on the taxation of commercial goods vehicles;
18. Calls upon the Commission to amend Annex I of the draft directive where necessary in the light of the evidence presented in the report noted in paragraph 4 above and other studies recently carried out within the Community, and calls upon the Council to reconsult Parliament in the event of the Commission making amendments which substantially affect the contents of the existing directive;
19. Believes that it is desirable, in order to give reasonable confidence to the populations of the Member States that overweight and dangerously loaded lorries are effectively kept off the roads, that dynamic weighbridges or other effective devices capable of measuring the total weight and axle weights of moving lorries should be installed on all major routes at locations where the flow of traffic is not affected;
20. Calls upon the Commission to incorporate the following amendments in its proposal.

Preamble and Articles 1 - 6 unchanged

Article 7

The Member States may, after consulting the Commission on the general nature of the measures proposed:-

- a) derogate from the provisions of Article 3 in the case of vehicles used for the carriage of dangerous goods,
- b) exclude vehicles conforming to this Directive from certain routes or structures for reasons of safety or of protection of the infrastructure or the environment. Such measures shall apply to all vehicles with the same weight or other characteristics.

Article 7

The Member States may, after informing the Commission on the general nature of the measures proposed:-

rest unchanged

Articles 8 and 9 unchanged

Annex I, paragraphs 1.1. and 1.2. unchanged

Paragraph 1.3.

Combined vehicles (articulated vehicles and road trains)

- motor vehicle with two axles
- + trailer or semi-trailer
 - with two axles 35 tonnes
 - with three axles 40 tonnes
- motor vehicle with three axles
- + trailer or semi-trailer
 - with two axles 42 tonnes
 - with three axles 44 tonnes

Paragraph 1.3.

Combined vehicles (articulated vehicles and road trains)

- motor vehicle with two axles
- + trailer or semi-trailer
 - with two axles 35 tonnes
 - with three axles 40 tonnes
- motor vehicle with three axles
- + trailer or semi trailer
 - with two axles 40 tonnes

Annex 1, paragraphs 2 and 3, and

Annexes II and III unchanged

B

EXPLANATORY STATEMENT

I INTRODUCTION

1. The proposed directive on the weights and certain other characteristics (not including dimensions) of road vehicles used for the carriage of goods¹ contains only nine articles and three short annexes. This brevity is deceptive, for the present proposal is the result of over twenty years' discussion and technical and political argument. Although to some extent the product of compromise, the proposal remains undeniably controversial and, as the Commission itself would not dispute, has been the subject of keen debate in various quarters. While intending to deal below with the more controversial implications, your rapporteur wishes to make clear from the outset that his objective in drafting this report is to strike upon an equitable balance, under the proposed directive, between these different demands, all of which are comprehensible and important.

2. In 1963 and 1971 the Commission presented proposals on maximum vehicle dimensions and weights² and the European Parliament delivered its opinion on them in the DE GRUYSE and RICHARTS reports³. In 1972 the Community of the Six came near to reaching agreement on an 11-tonne axle weight, but this agreement was abandoned during the accession negotiations to enlarge the Community and subsequently rejected by the Council of Ministers. The Commission has not produced alternative suggestions for its proposals concerning vehicle dimensions as these have already been presented separately to the Council. The present proposal, therefore, amends only that part of the original 1971 draft directive relating to weights.

3. The failure of the Commission's 1971 proposal was occasioned in part by the difficulties of certain countries seeking to join the Community, and in part also to a change of attitude by the German Government. Faced with continuing difficulties (as the Commission points out in the explanatory note to the proposal), the Council in 1975 invited the Committee of Permanent Representatives, with the assistance of the Commission, to develop a 'practical solution to the problem of vehicle weights and dimensions'. Following the presentation by the Commission of a recommended new approach, contained in a working paper⁴ submitted to the Council in December 1976, the Commission was asked to prepare proposals for legislation. The present proposal has developed from that working paper, following consultations with hauliers, motor manufacturers, environmentalists and other interested groups.

¹ Doc. 575/78 and COM(78) 728 final

² Doc. VII COM(63) 131 final - OJ No. C 90, 11.9.1971

³ Doc. 58/63 and Doc. 173/71

⁴ Doc. No. 12/2876/76 (TRANS 138), 22.11.1976

4. To define the Commission's brief still further, it should be pointed out that, at recent Council meetings, Member Governments have laid emphasis on the following six objectives:

- (i) keeping down transport costs,
- (ii) conserving energy resources,
- (iii) minimizing damage to infrastructure,
- (iv) minimizing damage to the environment,
- (v) improving the control of commercial vehicle traffic,
- (vi) progress towards a Community scheme for whole vehicle type approval in the commercial field.

5. The present proposal incidentally deals only with vehicles having a maximum laden weight of 3.5 tonnes or more, and proposals covering smaller vehicles have already been submitted by the Commission and were the subject of the opinion delivered by the European Parliament in the NYBORG report¹.

6. Within the range of combined vehicle types considered in this proposal, the Commission provides for a maximum authorized gross vehicle weight (GVW) of 44 tonnes for a motor vehicle with three axles plus a trailer or semi-trailer also with three axles. This proposed maximum GVW should be set against that currently permitted in the various Member States, which ranges from 32.5 tonnes in the UK to 50 tonnes in The Netherlands, with certain Community countries² having increased their maximum GVW to 40 tonnes and above since 1973.

7. However, your rapporteur wishes to emphasize that, in his opinion, the cornerstone of the proposal is not the maximum GVW authorized for the above-mentioned category of vehicle, but rather the 40 tonne GVW proposed for two-axle towing vehicles with two or three-axle trailers or semitrailers. The Commission considers this the most economical vehicle arrangement from the hauliers' point-of-view, citing the lower deadweight and first cost of two-axle tractors. Your rapporteur fully endorses the view that a decision to authorize such vehicle combinations would represent a significant advance in political and economic terms.

8. A further point that should be emphasized in this introductory section is that, if adopted in its present form, the effect of this proposal would be essentially on cross-border transport within the Community. As Article 3 makes clear, Member States could not refuse or prohibit the putting into circulation or the use of vehicles conforming to its provisions, though, of course, within a Member State authorizing a GVW in excess of 44 tonnes such maxima would continue to be permitted. At the same time, no Member State would be obliged to admit a vehicle with a GVW in excess of 44 tonnes.

¹ Doc. 36/77

² Italy, Denmark and, in the case of road trains, Belgium and Luxembourg

9. Your rapporteur has thought it worthwhile to summarize in this section the history of this proposal and certain of its provisions because, as pointed out in paragraph 1 above, its subject is undeniably controversial. The many areas upon which it has a direct bearing include the fundamental objectives of the common transport policy, competition between transport modes, the improvement of social conditions within this sector, potential damage to the environment (including pollution, noise and vibration), effects on existing infrastructure, the respective requirements of vehicle manufacturers, operators and users, the future of road-rail transport and the implications for the railways, the formulation of road construction programmes, road safety, freight traffic trends and, above all, energy conservation.

10. In concluding this introduction, your rapporteur wishes to express the Committee's gratitude to the organizations which participated in the meeting with experts held on 30 May 1980 in Brussels¹. The written submissions provided by each of these organizations and those sent in by others which did not attend the meeting², together with the oral evidence presented on 30 May, were of considerable help to the rapporteur in the drafting of this report and enabled him to steer a way through the wealth of inter-related factors mentioned in the preceding paragraph.

11. In the following sections of the report your rapporteur will attempt to analyse as objectively as possible each of the main arguments to which the proposal has given rise, in the firm conviction that, given the necessary political will, an equitable solution can and must be found to a complex problem which has bedevilled the Community transport sector for almost twenty years.

II THE CASE FOR HARMONIZATION

12. The principle of the harmonization of vehicle weights has now been accepted by almost all the parties affected, including most environmentalists³. This is not surprising, as there can be few fields in which the case for harmonization as such - leaving aside the level at which such harmonization takes effect - is so persuasive.

¹ See Annex

² FNTR (French National Road Federation), UK Council for Environment Conservation, Group of Nine

³ See submission of the European Environmental Bureau (PE 64.944) paragraph 20.

13. The achievement of the objectives laid down in Article 74 of the Treaty (creation of a common transport policy) depends on the adoption of 'common rules applicable to international transport to or from the territory of a Member State or passing across the territory of one or more Member States' (Article 75 (1) (a) of the EEC Treaty).

The introduction of Community maxima in respect of the weights and dimensions of road vehicles used in international transport would clearly constitute such common rules. The variations in Member States' maximum GVW (from 32.5 to 50 tonnes) have led to an unsatisfactory state of affairs where either lorries may have to be partially unladen in the course of an international journey or operators may be liable to pay substantial fines.

14. Another argument in favour of harmonization of vehicle weights and dimensions is that it is an essential precondition to the creation of a common HGV¹ market within the Community and, by implication, to enhanced market stability and transparency and improved conditions of competition.

15. Decisions on a long-term road construction programme can be reached only with advance knowledge of the maximum weights and dimensions of the vehicles to be allowed on the roads. This also applies to any decision on an effective common system for recovering infrastructure costs, which would require the alignment of specific transport taxes, especially road taxes and fuel oil taxes, and a common policy on road levies such as motorway tolls². Such decisions are clearly essential if the Community is to eliminate distortions of competition between modes (especially vis-à-vis the railways).

16. Agreement on harmonization should facilitate the control of compliance with existing Community directives on noise and exhaust systems³, air pollution⁴, braking⁵, steering⁶ and overloading, thus making a significant contribution towards improving road safety.

¹ Heavy goods vehicle

² See SEEFELD report, Doc. 512/78, p. 47, para. 134

³ Cf. Council Directive 70/157/EEC, Commission Directive 73/350/EEC, Council Directive 77/212/EEC

⁴ Cf. Council Directives 70/220/EEC, 72/306/EEC, 74/290/EEC, Commission Directives 77/102/EEC, 78/665/EEC

⁵ Cf. Council Directive 71/320/EEC, Commission Directives 74/132/EEC, 75/524/EEC

⁶ Cf. Council Directive 70/311/EEC

17. In their opinions annexed to this report, both the Committee on Energy and Research and the Committee on the Environment, Public Health and Consumer Protection questioned the desirability of further increases in the relative volume of freight carried by road. As energy-saving considerations must be paramount, your rapporteur would agree that a not insignificant proportion of long distance goods traffic could be more effectively transferred to other modes of transport. He would point out, however, that agreement on a capacity policy defining the relative number and carrying capacity of goods transport vehicles can be reached only if maximum dimensions and weights have already been laid down.

18. To conclude this section, your rapporteur would assert his belief that without a decision on harmonization, a major element of future transport planning will be lacking, affecting as it does road construction and transport policy, the motor vehicle industry, the railways and, of course, the operators and users of transport services. This admittedly difficult decision is some twenty years overdue, and at least eleven from a legal point-of-view¹.

The present proposal, even if not complete, represents a step forward along the path of harmonizing conditions of competition; without such harmonization no real progress can be made towards an effective liberalization of the transport market.

In short, your rapporteur fully endorses the view expressed in the SEEFELD report², that 'there can be no hope of making major headway with the common transport policy until this problem is solved'.

III THE COMMISSION PROPOSAL

19. As stated above, the proposed directive is the product of a compromise. The first result of this compromise approach is that it will have no effect on the maximum weights permitted within a country where these are above the proposed norms. On the other hand, in countries such as the United Kingdom and Ireland, its effect will be to increase the present permitted maxima. Cross-frontier traffic will thus be particularly affected by the dual system - Community and national - which will result from the adoption of this proposal. Countries where the maximum weight is below that proposed in the directive will enjoy a certain advantage, whereas countries admitting a maximum weight exceeding that now proposed will encounter difficulties.

20. The fact that the proposal does not lay down mandatory maximum weights, and that countries will be able to use vehicles whose weight exceeds the Community norm for internal traffic at least, will make the common calculations of road costs and many other essentials of European transport policy much more difficult to establish.

¹ The provisions of Article 75(1) (a) of the EEC Treaty were due to have been laid down during the transitional period, i.e. by 1969.

² Doc. 512/78, para.135

21. On the other hand, your rapporteur has no quarrel with the possibility granted Member States under Article 7(b) to 'exclude vehicles conforming to this Directive from certain routes or structures for reasons of safety or of protection of the infrastructure or the environment'. The Member States are thus left to decide themselves on the establishment of 'no-go areas' which they deem unsuitable for the passage of heavy vehicles, just as they may also exclude such vehicles from any roads or bridges likely to suffer inordinate damage.

22. Another sense in which the proposed directive is clearly incomplete is that it fails to offer any solution to the problems of the transport by road of 40-foot ISO containers, for which it would be necessary, according to certain experts¹, to allow a GVW of 44/45 tonnes for vehicles having not more than five axles.

23. Your rapporteur appreciates that the Commission's hands were tied by having been instructed by the Council merely to find a 'practical solution' to the problem of vehicle weights and that, in these circumstances, the Commission had little choice but to aim at partial harmonization, involving certain vehicles only, rather than the comprehensive harmonization of the entire Community vehicle fleet. However, while he is able to accept that the proposed directive may constitute a valuable step forward, your rapporteur feels compelled to point out to the Commission and the Council that the 'step-by-step' approach exemplified by this proposal may be justified only within the context of a coherent overall approach to the establishment of a common transport policy and an effective road transport network.

24. Regrettably, your rapporteur feels obliged to take this point one stage further by asserting that the proposed directive is not only limited for the reasons stated above, but also fails to reflect the desired overall approach in three key respects: firstly, it takes insufficient account of the worsening energy crisis in all industrialized countries and the Community in particular and the prime importance of any measures likely to produce energy savings. Secondly, with regard to potential road damage, in the view both of the rapporteur and of the great majority of organizations consulted, the Commission has placed too much faith in the AASHO tests carried out back in the 1950's and the 4th power relationship between axle weight and road damage, and has paid insufficient heed to more recent findings concerning, for example, the influence of tyre pressure and improved suspension. Thirdly, your rapporteur feels the Commission has provided inadequate documentary evidence in reply to the various objections raised by environmentalist groups and would therefore ask the Commission to coordinate the findings of the most recent studies on road damage. Your rapporteur will himself deal with certain environmental aspects of the proposal below, together with a number of its other implications.

¹ See, for example, PE 65.389/Ann., para. 3

IV IMPLICATIONS OF THE PROPOSAL

A. Energy

25. Any assessment of the proposed directive must take full account of the fact that road transport accounts for over two-thirds of total energy consumption in the Community transport sector¹, which itself accounts for approximately 18% of the Community's total energy consumption.

There is no getting round the fact that, in many areas of the Community, road haulage is often the only means of transporting freight, and that no major breakthrough in the use of substitute fuels in road transport can be expected in the short-term.

The Committee on Transport is acutely aware of the serious implications of this situation, and for this reason has organized a public hearing on 'Energy-savings in the field of transport', to be held in Brussels on 27/28 November with the participation of some 16 international bodies having special competence and expertise in this field.

26. The Governments of the Member States are equally aware of the need to conserve scarce resources of petroleum products and, indeed, urged the Commission to take account of this problem in proposing maximum weights for road vehicles.

27. In its proposal, the Commission suggests that energy savings can be achieved by:

- technical improvements in engines, transmission and the aerodynamics of vehicle construction,
- increasing GVW
- increasing the ration of payload to gross vehicle weight by permitting increases in axle weight and hence reducing the number of axles required for a given GVW.

28. The Committee on Transport, for its part, feels that the Commission should also be asked to establish, in the form of studies,

- (i) the optimum tonne/km fuel consumption ratio²,
- (ii) the desirability of fixing maximum and, possibly, minimum speeds according to the weight of vehicles for all classes of road³, and
- (iii) the feasibility of fitting vehicles with speed-limiting devices, such as those currently being developed in France⁴.

¹ Commission study entitled 'In favour of an energy-efficient society' (DG XVII - 235(79), Ch. 4.1.1)

² Your rapporteur would emphasize in this connection that certain experts maintain that a vehicle having a GVW of 44 tonnes consumes 15% less fuel per tonne/km than a vehicle having a GVW of 32.5 tonnes

³ See opinion of the Committee on Energy and Research in annex, para. 10

⁴ At the Committee meeting of 30 May 1980 the UNICE representative affirmed that the results of final tests on these devices would be announced 'within approximately six months'.

29. Your rapporteur fully supports the view of the Committee on Energy and Research when, in its opinion, it calls for an energy-orientated approach to Community transport. He would point out, however, that a rational use of the different modes with the aim of reducing oil consumption and saving energy is dependent, once again, upon the formulation of an overall approach, encompassing road, rail and water, to Community transport policy.

30. Pending the adoption of that approach, and subject to the Commission undertaking the studies requested above, your rapporteur considers that this proposal, given that it increases the ratio of payload to GVW, should be welcomed inasmuch as it will lead to a reduction in fuel consumption in a sector which, for the foreseeable future at least, will remain necessarily dependent upon petroleum products.

B. Environmental protection and road safety

31. Your rapporteur notes that, by a slender majority¹, the Committee on the Environment, Public Health and Consumer Protection adopted an amendment to that Committee's draft opinion in which it states that the Commission proposal is 'unreasonable' and calls on the Commission to propose substantially lower limits.

32. No-one who has followed the history of the harmonization of vehicle weights can be unaware of the particular situation in two Member States, in which some nine-tenths of all freight traffic is moved by road and, moreover, on roads the design of which, in many cases and for whatever reason, fails to allow for this volume of traffic.

This is in no way to belittle the justifiable grounds for concern held by the public and by environmentalists, not just in the United Kingdom and Ireland, but throughout the Community. Your rapporteur feels most strongly that, in the search for an effective Community compromise, the problem should be considered from as wide a perspective as possible if a fair balance is to be achieved between the interests of all the Member States and all other interested parties.

33. In recent years there has developed an increasing awareness of the price that industrialized societies have had to pay for technological development in terms of damage to the environment. We are now conscious not only of the need to anticipate the harmful effects new techniques and technologies may have, but also to avoid or alleviate the damage caused by existing industries. The task of trying to put right the effects of much indiscriminate, and sometimes unintentional, abuse of our natural environment is more difficult but this too is now being attempted.

¹ 7 votes to 6

34. If environmental pollution has largely been caused by industrial development, it is also true that a considerable part of that pollution is due to the consequential development of transport. Legitimate grievances are constantly being expressed concerning the nuisance and dangers caused by large vehicles travelling through towns or on roads which were never designed to accommodate them. As far as road transport is concerned, it is possible to distinguish three main categories of environmental damage:-

- (a) Damage to, or destruction of, areas of natural beauty or amenity value by the construction of badly sited roads;
- (b) Noise pollution;
- (c) Pollution from exhaust emissions.

The first of these categories falls outside the scope of the present directive and, indeed, is largely beyond the scope of Community action, being essentially a matter for the national and regional planning authorities of the Member States. Nevertheless, your rapporteur wishes to draw attention to the importance of the proper siting of new roads and motorways. This is a matter which does not just involve damage to the landscape, since badly sited roads can cause unnecessary noise and exhaust pollution. Your rapporteur welcomes the greater general awareness of the irreparable damage which may be done to our environment. If this awareness has made the construction of new roads and motorways more contentious and difficult than formerly, this must be regarded as an acceptable price to pay in the interests of preserving our environment.

35. Noise and exhaust pollution, however, are matters which offer greater scope for Community legislation. Your rapporteur therefore welcomes the fact that the proposed directive applies existing Community standards in respect of the omission of pollutants from diesel engines for use in motor vehicles, the permissible sound level and exhaust system of motor vehicles and for measures to be taken against air pollution by gases from positive ignition engines of motor vehicles (see Annexes II and III).

36. Since these measures are to apply not only to future vehicles conforming with the proposed specifications in the directive but also to vehicles already in service, your rapporteur is convinced that the enactment of the directive can lead only to an improvement of the present situation in respect of noise and exhaust pollution. This, of course, does not mean that the Commission should not continue to seek the improvement of limitations on noise and exhaust pollution from all forms of transport, nor that the European Parliament will not continue to support and, where necessary, to stimulate the Commission in its efforts.

37. In this connection, your rapporteur would ask the Commission to inform Parliament on progress achieved towards fixing a noise limit of 80 decibels by 1985, as advocated by the Council of Ministers in 1977.

38. Legitimate public anxiety has also been expressed with regard to road safety and heavy goods vehicles. Accidents involving heavily laden vehicles or ones carrying dangerous loads are depressingly frequent. It is then fair to ask whether the proposed directive is likely, by permitting greater GVWs than are at present allowed in certain Member States, to cause an increase in heavy goods vehicle accidents.

39. In your rapporteur's opinion, such fears are largely unfounded. Admittedly, the inertia of heavy vehicles is likely to cause more severe accidents than may occur with lighter vehicles; but the real problem lies elsewhere. It is not the weight of vehicles that causes accidents as much as their overloading, often combined with deficient braking and steering systems which is the main cause of many accidents.

40. The adoption of the present proposal should make it easier to control vehicles, particularly in respect of overloading, though it is to be regretted that its provisions are permissive rather than mandatory. Annex II provides for the application of Community legislation concerning braking and steering standards to heavy goods vehicles. The directive should then not only raise present standards, but also stimulate tighter standards governing noise and exhaust pollution and improve road safety by clamping down on overloading and deficient braking and steering systems.

41. One favourable consequence of larger vehicles which is sometimes ignored is that their introduction can mean a reduction in the number of vehicles on the road and this in itself makes a positive contribution to road safety.

42. Finally in this section of his report, your rapporteur would again call attention to Article 7 of the proposal, which not only allows Member States to take special measures in the case of vehicles carrying dangerous goods, but also to 'exclude vehicles conforming to this Directive from certain routes or structures for reasons of safety or of protection of the infrastructure or the environment.....' This is an important provision, and it places a certain onus on environmental interest groups to put pressure on the relevant bodies in their Member States to make full and effective use of this derogation.

C. Infrastructure

43. As stated above, one of the main - and, in your rapporteur's opinion, most justifiable - criticisms levelled at the Commission's proposal is its over-reliance on the AASHO tests and the 4th power relationship for the calculation of road damage.

He considers it essential that the Commission be requested to provide more comprehensive and up-to-date documentation on this question.

44. Although an increase in weights can undoubtedly lead to an increase in the maintenance costs of certain roads within the Community, when viewed from an overall perspective these costs should be more than offset by the general economic benefits to be derived from harmonization.

45. Three additional mitigating factors concerning infrastructure costs are:

- (i) the improvement in road construction techniques since the publication of the AASHO tests in 1960,
- (ii) recent technological progress in vehicle suspensions and tyres, and
- (iii) the abovementioned provision for derogation under Article 7 of the proposal, enabling the Member States to keep heavy vehicles off roads and bridges unsuited to such traffic and to guard against potential damage to certain vulnerable underground structures such as gas mains, etc.

46. A solution to the problem of infrastructure costs would also be facilitated by the adoption by the Council of the Commission's 1976 proposal for Community financial support for transport infrastructure projects¹.

D. Social implications

47. Your rapporteur shares the regret expressed by various trade-unions² that the 'consultations' referred to in the Commission's explanatory note were held with 'hauliers, motor manufacturers, environmentalists and other interested groups', with no mention of road transport drivers or their trade-union organizations.

Any disillusion felt by transport workers is all too easily understood in view of the Community's sorry social record in the transport field and its failure, with the sole exception of Regulation 543/69, to give practical effect to the Council Decision of May 1965 on the general harmonization of social provisions in transport.

¹ See also the report by Mr KLINKENBORG (PE 65.509) on the Commission memorandum on the rôle of the Community in the development of transport infrastructure (COM(79) 550 final).

² See submission of the Committee of Transport Workers' Unions in the EEC (PE 65.289)

48. Your rapporteur feels that a fresh effort in this direction is long overdue, and believes that the present proposal should be backed up by simultaneous concrete measures in the social field (concerning, for example, vocational training, driving and working hours, and the standardization of cab and bunk equipment in heavy goods vehicles).

He finds it more difficult, however, to share the trade unions' view that heavier vehicles will increase unemployment, since increased GVW should create more favourable economic conditions in this sector.

49. In the meantime, drivers should obtain some reassurance from the fact that the present proposal is likely to improve road safety by facilitating the control of compliance with Community directives on braking, steering and, in particular, overloading.

E. Railways

50. One of the strongest arguments put forward against increasing the weights and dimensions of road vehicles is that this might operate against the interests of the transport of goods by rail, particularly at a time when, above all for energy reasons, it is generally felt desirable to increase the share of goods traffic carried by rail. Your rapporteur fully shares this preoccupation. The need for a balance between transport by road and by rail is fully justified by the important economies offered by rail transport in respect of energy saving and by its relatively unarmful effects upon the environment. This is also true of transport by inland waterway.

51. It should be pointed out, however, that as far as a common transport policy is concerned, the issue is not one of protecting a particular mode of transport (i.e. the railways) but one of ensuring equal treatment between all types of transport in order to ensure effective competition and the most favourable opportunities and options for user and consumer: this is a point which has frequently been stressed by the European Parliament.

52. Arriving at a common definition of maximum weights and dimensions for road vehicles could indeed operate in the interests of the railways, since it will be extremely difficult to arrive at a common European rail policy until it has been decided what the payload of road vehicles will be and what expenditure will have to be allocated to road construction and how that expenditure should be borne.

53. The definition of standards for road vehicles should also operate in the interests of developing a greater use of mixed modes of transport, e.g. road/rail, ship/rail/road, which will enable optimum use of the railways. The international standardization of container dimensions has had a certain de facto effect on lorry weights and dimensions; it would, therefore, appear reasonable to begin converting this into de jure permitted

maxima, even if the restrictive nature of the present proposal unfortunately precludes a fully satisfactory solution to the problem of containers at this stage.

54. The implementation of any policy to make the maximum use of rail transport not only requires very high capital investment but will also take a considerable period of time. Considerations of energy conservation and environmental protection may well, at some future date, compel us to give special protection and encouragement to the railways over and above the present competition principles. This, however, does not mean that there is any contradiction between making the best possible use of the railways and developing their potential, and making the most effective use of the Community's road and motor vehicle network. The real solution thus lies not in penalizing road transport but in maximizing the potential of the railways.

55. Finally, it should be borne in mind that most of the Community's peripheral regions are especially dependent upon road transport as against other modes.

F. Third countries

56. There is no reason to believe that, upon their accession to the Community, the proposed directive will pose significant problems of adjustment for Greece, Spain or Portugal, each of which currently permits a maximum GVW of 38 tonnes.

57. A more difficult area will be the need for the Community to negotiate satisfactory arrangements with the transit countries of Yugoslavia, Austria and Switzerland, which at present operate limits below those now being proposed for the Community. The Council's awareness of this problem was illustrated at the meeting of the Council of Transport Ministers on 24 June 1980, which discussed the directives to be given to the Commission for the negotiation of an agreement between the Community and neighbouring third countries on common rules applicable to combined rail/road carriage of goods, and examined a Commission statement on relations with Austria on transport matters, in particular as regards a Community financial contribution to the building of the Innkreis-Pyhrn motorway.

V CONCLUSIONS

58. In the light of the above considerations, your rapporteur advocates a Community decision, as soon as possible, authorizing the circulation of vehicle combinations, road trains or articulated vehicles having up to five axles (with a maximum driving axle weight of 11 tonnes) and a GVW of 40 tonnes. Such a decision, affecting a significant proportion of the Community's vehicle fleet, would constitute a decisive step forward in political and economic terms, likely to lead to immediate increases in energy savings and productivity. Your rapporteur doubts that the

political climate is sufficiently propitious at present to enable a decision authorizing Community maxima in excess of 40 tonnes, and believes the onus is now on the Commission to justify such an additional increase by providing more comprehensive technical documentation.

59. Your rapporteur therefore proposes that, in paragraph 1.3 of Annex I to the Commission proposal, the last line 'with three axles - 44 tonnes' should be deleted, and, in the penultimate line, '42 tonnes' should be replaced by '40 tonnes'.

60. Your rapporteur would stress, however, that he considers this merely as an intermediate solution, and that the Community vehicle of the future would appear to be a five-axle vehicle combination with a maximum weight of 44-45 tonnes, the introduction of which ought to maximise energy savings and ease the problem of container transport.

61. Apart from some purely drafting amendments concerning dates which are no longer realistic (in Articles 4 and 8), your rapporteur would suggest only one further amendment of substance: in Article 7, the first sentence of which reads 'The Member States may, after consulting the Commission', 'consulting' should be replaced by 'informing' to emphasize the powers of derogation afforded Member States.

62. In conclusion, therefore, the Commission is requested to pursue studies aimed at defining all the technical characteristics of the Community vehicle fleet of the future in a manner which reflects the underlying objectives of increased energy savings and productivity, together with improved protection of the environment and road safety. Subject to the Commission's agreement to undertake these studies and the incorporation of the abovementioned amendments, the committee is asked to approve this report and the Commission proposal.

Meeting with experts held on 30 May 1980 in Brussels

Organizations represented:

- Permanent Conference of Chambers of Commerce and Industry in the EEC
- Committee on Transport Workers' Unions in the EEC
- UNICE (Union of Industries in the European Community)
- European Environmental Bureau
- European Conference of Local and Regional Authorities
- IRU (International Road Union)
- CLCA (Motor Manufacturers' Liaison Committee)

The meeting with experts organized by the committee confirmed the existence of a wide range of opinion which clearly illustrated the difficulties involved in securing an agreement between advocates of such divergent positions.

The main cause of this situation is the disparities which exist between the technical norms currently in force in the various Member States.

However, the experts' statements to the committee indicated broad agreement on the following prime objectives:

- saving energy
- reducing vehicle costs
- minimizing damage to the environment and road infrastructure.

OPINION OF THE COMMITTEE ON ECONOMIC AND MONETARY AFFAIRS

Letter from Mr NYBORG, draftsman, to Mr SEEFELD, chairman of the Committee on Transport

9 April, 1979

Dear Mr Chairman,

At its meeting of 5 and 6 April 1979, the Committee on Economic and Monetary Affairs considered the proposal from the Commission of the European Communities to the Council for a directive on the weights and certain other characteristics (not including dimensions) of road vehicles used for the carriage of goods (Doc. 575/78).

This proposal replaces a previous proposal submitted in 1971, which itself was a compromise proposal following more than eight years of continuous discussions in the Council. Now, after fifteen years of discussions, it is clearly high time that an agreement was reached.

The current situation of divergent national regulations makes matters extremely difficult for undertakings which, in the pursuit of their business, have to use commercial vehicles not only in national but also in international transport and in intra-Community transport in particular. Their choice of vehicle will depend on the Member State in which the vehicle is for the most part to be used. As far as the load is concerned, this needs to be adapted to the particular route that has to be taken.

Not only does the current divergency of national laws mean that transport operators have to bear additional costs and go in uncertainty because of the totally untransparent situation, but it is also extremely unsatisfactory for the manufacturers of commercial vehicles, who are obliged to comply with the legal specifications laid down in the Member State where they wish to market the vehicles they produce.

Free competition within the common market is therefore still nothing more than a dream for the commercial vehicles sector, for it is in reality greatly hindered by the divergent national laws. Consequently, from the point of view of both users and producers of road vehicles used for the carriage of goods, harmonization at Community level is urgently needed in order to bring about equal conditions competition on the Community market and to put an end to the present distortions of competition and the untransparency of the market. The Committee on Economic and Monetary Affairs therefore urges the Council to come at last to a decision after fifteen years of deliberations.

As regards the level at which harmonization should be undertaken, an optimum balance should be sought between what is commercially the most profitable solution and the limitations which have to be taken into account in respect of damage to roads and the environment. In its capacity as committee asked for an opinion, the Committee on Economic and Monetary Affairs does not wish to go into these aspects in any greater depth.

I would request you to regard this letter as the draft opinion for your committee, it having been approved by unanimity (1).

Yours sincerely,

K. NYBORG
Draftsman

(1) Present: Mr. Pisani, chairman, Mr. Notenboom and Mr. Leonardi, vice-chairmen, Mr. Nyborg, draftsman, Lord Ardwick, Mr. Ansquer, Mr. De Keersmaeker, Mr. Van der Gun and Mr. Spinelli.

I. GENERAL REMARKS

1. Point 8 of the Explanatory Note to this proposal for a directive refers to energy aspects. In drawing up its proposal, the Commission was compelled to take into consideration the ever-dwindling resources of petroleum and petroleum products coupled with apparently endless price increases.

2. It makes the following proposals for saving energy:

- Technical improvement in engines, transmission and the aerodynamics of vehicle construction,
- Increasing the gross vehicle weight,
- Increasing the ratio of payload to gross vehicle weight, hence permitting increases in axle weight and reducing the number of axles required for a given gross vehicle weight.

II. SPECIFIC ENERGY ISSUES

3. This opinion deals only with energy issues. It is not concerned with technical improvements in engine construction or modifications to the transmission and aerodynamics, although improvements in these areas could lead to a reduction in fuel consumption. The Committee on Energy and Research must, however, emphasize that a real contribution to energy saving cannot be made solely by modifying the ratio of weight to engine power or of payload to gross vehicle weight. The Committee on Energy and Research considers it extremely important that all aspects of the problem be studied in sufficient depth in the course of a hearing on transport and energy to be held in the near future by both committees.

4. As the Commission rightly points out, any increase in gross weight and permitted axle weight involves an increase in road maintenance and road repairs with associated energy costs and additional consumption of petroleum products. Not until a meeting of this committee on 21 and 22 February 1980 did the Commission provide further information giving a clearer picture of the relationship between the increase in road maintenance costs and the reduction in fuel consumption. The energy ratio seems to argue in favour of a reduction in fuel consumption.

5. The Commission's proposal to combine a reasonably high gross weight with moderate axle weights is acceptable. However, it is only in a supplementary document forwarded to us on 22 February 1980 that the Commission has indicated the optimal ratio for maximum energy saving.

6. The Committee on Energy and Research has been saying for a long time that railways should be used, wherever possible, to transport goods over long distances, since this method of transport is more efficient and uses less energy. As long ago as 12 December 1973, in its resolution on the immediate measures needed to alleviate the energy supply crisis in the European Community¹, Parliament considered that 'the transport of bulk goods over long distances should as far as possible be transferred from the roads to the railways, if the necessary capacity is available' (para. 8(f)). It is not our task to assess the feasibility of this within the framework of transport policy. However, we must emphasize the importance of keeping the consumption of petroleum fuel to a minimum, for the situation has certainly not improved since 1973.
7. Road haulage is often the only means of transporting freight. Up to now, it has not been possible to produce substitute fuels in sufficient quantities. All other substitutes, even the most promising, are no more than distant hopes as far as widespread use in the Community is concerned. Consequently, the maximum amount of heavy traffic should be transferred to the railways for long distances, although the rest of the journey can and must be made by road for the reasons indicated.
8. It should be noted that Switzerland, a transit country between the North of the Community and Italy, does not allow lorries exceeding 28 tonnes in gross weight. Nor does it intend to change this policy, but it does all it can to enable such lorries to be transported by rail.
9. Mention should be made of a factor that is not obvious, but affects fuel consumption on steep gradients, whether in the Alps or elsewhere: if the ratio of engine power to gross weight is too unfavourable the commercial vehicle will be forced to travel very slowly on uphill gradients. If overtaking is not possible, cars will be forced to follow the vehicle, possibly in long queues, over an indefinite distance. Since they will be in low gear their fuel consumption will be correspondingly higher. In other words, these cars will not be using their fuel efficiently. The quantity of fuel wasted in this way must be set against the fuel saving achieved by increasing the gross weight of the lorry in proportion to its engine power. The Commission has not done this as yet, but it should be recognized that such a study is difficult to carry out.
10. The Committee on Energy and Research therefore recommends also that the question of tonne/km fuel consumption standards be studied further with a view to opening negotiations with the motor vehicle manufacturers on consumption targets, as has been done in the United States and Japan in respect of passenger vehicles. In addition, maximum and, possibly, minimum speeds

¹ cf OJ No C 2 of 9 January 1974, p. 47

should be established for the different categories of commercial vehicles, according to weight, for all classes of road, not just for motorways and other roads. These uniform rules should apply throughout the Community. If this suggestion is not accepted, the committee will ask the Commission to propose alternative means of achieving the same object.

11. The mode of transport which uses least fuel in relation to the volume of freight carried is by water. However, it is limited to certain places and the initial capital investment is substantial. Furthermore, perishable goods can be transported by this method only under certain conditions and, where speed is a factor, transport by water is clearly not suitable.

Nonetheless, water transport (by sea, river and canal) should not be overlooked. From the point of view of energy saving therefore, a comprehensive approach to transport policy is now needed.

III. CONCLUSIONS

12. All these observations lead the Committee on Energy and Research to the conclusion that the proposal for a directive on which we have been asked to give an opinion is acceptable only within the framework of a comprehensive approach to transport based on maximum energy saving. The study prepared by the Energy Directorate-General of the Commission, 'In favour of an energy-efficient society'¹, states that road transport accounts for more than two-thirds of the total energy consumption in the transport sector. Savings of approximately 35% compared with the present consumption could be achieved in the medium term, and in the longer term (by the year 2010 or 2025) 50%. This is all the more important as Section 8 of the explanatory note deals specifically with energy policy.

13. The Committee on Energy and Research therefore recommends that the fourth recital of the proposal for a directive should list as an additional requirement the rational use of energy.

The proposal for a directive should be incorporated in an overall Community approach to transport designed for maximum energy saving. It should be adapted to this objective. The Committee on Energy and Research is aware of the political difficulties involved. But such a policy is essential if we wish to prevent the economic collapse which would inevitably occur if our transport systems were paralysed by lack of energy.

14. Consequently, this proposal for a directive could be approved by the Committee on Energy and Research only if it were intended to lay the foundation for a future overall Community policy geared to reducing the consumption of oil as a source of energy.

¹ Doc. DG XVII-235(79), the so-called Saint-Geours Report, Chapter 4.1.1

15. For all these reasons, the Committee on Energy and Research asks the Committee on Transport as the committee responsible to include the following passages in their motion for a resolution:

(a) In the recitals:

(The European Parliament)

- observing with regret that the Commission of the European Community did not submit background documents on the energy-saving measures to be taken in the transport sector until long after Parliament was consulted,
- having regard to the fact that a large proportion of freight can be transported only by road, but a significant proportion of long distance goods traffic could certainly be transferred more effectively to rail, river or coastal transport,
- having regard to the fact that up to now it has not been possible to produce substitute fuels in sufficient quantities to reduce significantly consumption of petroleum products for transport purposes and that no major breakthrough in this regard can be expected in the short term,

(b) In the body of the motion for a resolution:

- Draws the attention of the motor industry, the road haulage sector and public opinion to the fact that 26% of the Community's oil consumption goes in road transport, motor cars accounting for between 15 to 20%;
- Urges the Commission to intensify its discussions with the Community's motor industry to achieve optimum efficiency in the fuel consumed by road haulage vehicles;
- Recommends the Commission therefore to consider more closely the question of tonne/km fuel consumption in preparation for these discussions;
- Underlines the need for the transport industry to make an effective contribution proportional to its share of consumption with regard to the saving and rational use of energy;
- Reminds the public that oil deposits are being used up much faster than new ones are being discovered. Efforts to encourage energy conservation should therefore be intensified;
- Asks the Commission to organize hearings or carry out appropriate surveys for the purpose of drawing up the main points of a Community transport policy geared to saving energy, and to consider the following points in particular:

- the optimum distribution of traffic between water, road and rail, from the economic point of view and with regard to energy saving,
- reconciliation of the various objectives: environmental protection, reduction in energy consumption, speed of transportation and reduction in costs,
- the effectiveness of laying down maximum - and, possibly, minimum - speed limits according to the category of road vehicle and the class of road used.

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER
PROTECTION

Draftsman: Miss G.D. HOOPER

On 20 December 1979 the Committee on the Environment, Public Health and Consumer Protection appointed Miss G.D. Hooper draftsman of the opinion.

The committee considered the proposal for a directive at its meeting of 24 January 1980 and adopted the opinion at its meeting of 23 June 1980 by 7 votes to 6.

Present: Mr Collins, chairman; Mr Johnson, vice-chairman; Miss Hooper, draftsman of the opinion; Mr Adam (deputizing for Mrs Roudy), Mr Ghergo, Mr Forth (deputizing for Mr Newton Dunn), Mr Mertens, Mr Muntingh, Mr O'Connell, Mr Provan (deputizing for Mr Sherlock), Mr Remilly, Mrs Schleicher and Mrs Seibel-Emmerling.

CONTENT OF THE PROPOSAL FOR A DIRECTIVE

1. This proposal is a measure taken within the framework of the common transport policy. Its objective is limited to laying down permitted gross vehicle weights (GVW) for commercial vehicles authorised to undertake cross-frontier carriage of goods by road within the Community.
2. Permitted GVW in the Community range from 32.5 tonnes in the United Kingdom to 50 tonnes in the Netherlands¹. The proposal provides a common GVW of 44 tonnes, which means that six Member States would have to increase their permitted GVW limits. There is also provision for a maximum axle weight of 10 tonnes, which will involve a reduction of maximum axle weight in six member countries and in Greece and Spain which are due to become members.
3. In addition to maximum vehicle weights, the proposal also lays down that the commercial vehicles covered by the directive must meet Community requirements relating to noise, emissions and steering and braking devices.

BACKGROUND TO THE PROPOSAL FOR A DIRECTIVE

4. The present proposal is the outcome of more than 20 years of discussion and of technical and political argument. In 1963 and 1971 the Commission submitted proposals on maximum vehicle dimensions and weights², and the European Parliament delivered its opinion on them in the DE GRUYSE and RICHARTS reports³. In 1972 the Community of the Six came near to reaching agreement, but this agreement was abandoned during the negotiations on the accession of new Member States to the Community and subsequently rejected by the Council of Ministers. The Commission has not produced any alternative proposals concerning vehicle dimensions, since such proposals were submitted separately to the Council. The present proposal therefore only amends that part of the original 1971 draft directive which related to vehicle weight. There is no proposed increase in the length of vehicles.
5. The failure of the Commission's proposal was due partly to the difficulties facing certain countries applying for membership of the Community and partly to a change of attitude on the part of the Federal German Government. Faced with persistent difficulties, in 1975 the Council invited the Permanent Representatives Committee to develop, in association with the Commission, 'a practical solution to the problem of vehicle weights and dimensions'. In December 1976 the Commission submitted to the Council a working paper⁴ which contained a recommended new approach. The Commission

¹ Present GVW limits in France 38 tonnes, Belgium and Luxembourg 38/40 tonnes, Germany 38 tonnes, Italy 40 tonnes, Denmark 44 tonnes

² Doc. VII COM(63) 131 final - OJ No. C90, 11.9.1971

³ Doc. 58/63 and Doc. 173/71

⁴ Doc. 12/2876/76 (TRANS 138) of 22 November 1976

was subsequently requested to draw up proposals for legislation.

The present proposal is the updated version of that working paper revised in the light of consultations with hauliers, motor manufacturers, environmentalists and other interested groups.

ASSESSMENT OF THE PROPOSAL FOR A DIRECTIVE

6. The proposal for a directive relates principally to the common transport policy. The main environmental considerations are: noise pollution; atmospheric pollution; vibration affecting e.g. old bridges and historic buildings; road damage; damage to the landscape and land loss where roads are widened or straightened or by-passes constructed; the safety of pedestrians (particularly children) and cyclists.

7. The only articles dealing directly with environmental considerations are:

(a) Article 6, read in conjunction with Annex III, which lays down that the commercial vehicles covered by the directive are subject to current Community legislation on noise and emissions. These are not new norms for noise and emissions but simply the application of current legislation to a particular type of vehicle, the committee can endorse it without further comment or debate.

(b) Article 7(a) relates to carriage of dangerous goods which is separately provided for and Article 7(b) authorizes the Member States to lay down national measures to exclude heavy goods vehicles from unsuitable routes and from towns and villages for reasons of safety or of protection for buildings of historic interest and for the environment. This is an important and essential derogation which is welcomed by the environmental protection groups.

8. There is an argument in the explanatory note to the proposal and confirmed by the Opinion of the Committee on Energy and Research that heavier lorries will mean fewer lorries which should lead to energy savings. Conservation of resources also has an environmental aspect.

CONCLUSIONS

9. Since there was a feeling among members of this committee¹ that the maximum permitted weights for vehicles covered by this proposal would lead to unacceptable environmental danger together with heavy economic costs, the committee considers that the proposal is unreasonable and calls upon the Commission to come forward with proposals for harmonization at substantially lower limits (such as 32.5 tonnes overall and 10 tonnes on axle weight).

¹ This view was defended by 7 committee members. A minority of 6 members, including the draftsman of the opinion, were of the opinion that the present Commission proposal was sensible and deserving of support.

10. Although in its explanatory note to the proposal, the Commission states that alternative methods of transportation are not within the scope of the proposal this Committee considers that regular reviews of transportation by rail and water should be maintained and wherever possible such alternative methods of transportation should be encouraged.

11. In its explanatory note to the proposal for a directive, the Commission also states that it has had numerous contacts with environmental groups who have called for measures to be taken to curb the trend towards larger and larger commercial vehicles. The Commission should be asked to ensure that meetings with such groups should take place on a regular basis to monitor the situation.

12. Finally, reference should also be made to public fears that a relationship exists between vehicle size and road safety (with respect to both the seriousness and number of accidents). In this respect and also in respect of general pollution and vibration effects and energy conservation, the Committee on Transport should consider the application of rigorous speed limits.