Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic

COUNCIL DIRECTIVE 96/53/EC

of 25 July 1996

laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission[(1)],

Having regard to the opinion of the Economic and Social Committee[(2)],

Acting in accordance with the procedure laid down in Article 189c of the Treaty[(3)],

(1) Whereas Council Directive 85/3/EEC of 19 December 1984 on the weights, dimensions and certain other technical characteristics of certain road vehicles[(4)] established, in the framework of the common transport policy, common standards permitting improved use of road vehicles in traffic between Member States;

(2) Whereas Directive 85/3/EEC has been significantly amended on many occasions; whereas on the occasion of its further amendment it should for reasons of clarity and rationality be recast in a single text together with Council Directive 86/364/EEC of 24 July 1986 relating to proof of compliance of vehicles with Directive 85/3/EEC[(5)];

(3) Whereas differences between standards in force in the Member States with regard to the weights and dimensions of commercial road vehicles could have an adverse effect on the conditions of competition and constitute an obstacle to traffic between Member States;

(4) Whereas, under the principle of subsidiarity, action should be taken at Community level in order to remove this obstacle;

(5) Whereas the abovementioned standards reflect a balance between the rational and economical use of commercial road vehicles and the requirements of infrastructure maintenance, road safety and the protection of the environment and the fabric of live;

(6) Whereas common standards on the dimensions of vehicles intended for the carriage of goods should remain stable in the long term;

(7) Whereas additional technical requirements related to the weights and dimensions of vehicles may apply to commercial vehicles registered or put into circulation in a

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Member State; whereas these requirements must not constitute an obstacle to the circulation of commercial vehicles between Member States;

(8) Whereas the definition of 'thick-walled refrigerated vehicle' in Article 2 of Directive 85/3/EEC, as amended by Directive 89/388/EEC[(6)], should be broadened in order to permit Member States to allow refrigerated vehicles no longer meeting the insulation requirements defined in that Article to circulate in their territory;

(9) Whereas it is necessary to clarify the concept of 'indivisible load' in order to ensure uniform application of this Directive in respect of permits for vehicles or vehicle combinations carrying such loads;

(10) Whereas the tonne is universally used and understood as the unit of measurement for vehicle weight and is, therefore, applied in this Directive whilst recognizing that the formal unit of weight is the newton;

(11) Whereas, in implementation of the internal market, the scope of this Directive should be extended to national transport insofar as it concerns characteristics that significantly affect the conditions of competition in the transport sector and in particular the values relating to the maximum authorized length and width of vehicles and vehicle combinations intended for the carriage of goods;

(12) Whereas, for the other vehicle characteristics, Member States are authorized to apply in their territory different values from those laid down in this Directive only to vehicles used in national traffic;

(13) Whereas road trains using extensible coupling systems in practice attain a maximum length of 18,75 m when fully extended; whereas the same maximum length should be authorized for road trains using fixed coupling systems;

(14) Whereas the maximum authorized width of 2,50 m for vehicles intended for the carriage of goods can leave insufficient internal space for the efficient loading of pallets, which has given rise to the application of different tolerances beyond that level in the legislation of the Member States concerning domestic traffic; whereas a general adaptation to the current situation is therefore necessary in order to provide for clarity in technical requirements, bearing in mind the road safety aspects of these characteristics;

(15) Whereas if the maximum width of vehicles intended for the carriage of goods is increased to 2,55 m, that standard should also be applied to buses; whereas, in respect of buses, it is however necessary to provide for a transitional period to allow the manufacturers concerned to adapt industrial plant;

(16) Whereas, to prevent excessive road damage and to ensure manoeuvrability, when authorizing and using vehicles preference should be given to pneumatic or equivalent suspension rather than mechanical suspension; whereas certain maximum axle loads should not be exceeded, and the vehicle must be capable of turning through 360° within certain limit values for the path followed;

(17) Whereas Member States should be permitted, in national goods transport, to allow vehicles or vehicle combinations with dimensions deviating from those laid down in this Directive to circulate in their territory if the transport operations carried out by

such vehicles are defined by this Directive as not significantly affecting international competition in the transport sector, i.e. operations carried out by specialized vehicles and operations carried out according to a modular concept;

(18) Whereas, in the case of modular concept operations, there should be provision for a transitional period to enable a Member State to adapt its road infrastructure;

(19) Whereas vehicles or vehicle combinations constructed applying new technologies or new concepts, according to standards which deviate from those laid down by this Directive, should be allowed to carry out local transport operations for a trial period to enable profit to be drawn from technical progress;

(20) Whereas vehicles which entered into service before the date of implementation of this Directive and which do not comply with the dimension characteristics laid down in this Directive, owing to previously differing national provisions or methods of measurement, should be allowed for a transitional period to continue to provide transport services within the Member State in which the vehicle is registered or put into circulation;

(21) Whereas progress has been made towards adopting Type-Approval Directives for vehicle combinations with five or six axles; whereas, the requirements regarding conformity with characteristics other than weights and dimensions as laid down in Annex II of Directive 85/3/EEC should therefore be deleted;

(22) Whereas such a modification is also necessary in order to avoid rules conflicting with international conventions on road traffic and circulation;

(23) Whereas in order to facilitate the monitoring of compliance with this Directive, it is necessary to ensure that vehicles carry proof of such compliance;

(24) Whereas this Directive does not affect the obligations of the Member States concerning the deadlines for transposition into national law and for application of the Directives which this Directive replaces,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1 This Directive applies to:

[F1 a the dimensions of motor vehicles in categories M2 and M3 and their trailers in category 0 and motor vehicles in categories N2 and N3 and their trailers in categories 03 and 04, as defined in Annex II to Directive 2007/46/EC of the European Parliament and of the Council(7);**]**

b the weights and certain other characteristics of the vehicles defined in (a) and specified in Annex I (2) to this Directive.

2 All the values of weights indicated in Annex I are valid as circulation standards and thus refer to loading conditions, not production standards, which will be defined in a later Directive.

[F2 3 This Directive shall not apply to articulated buses comprising more than one articulated section.**]**

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Textual Amendments

F1 Substituted by Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (Text with EEA relevance).

F2 Inserted by Directive 2002/7/EC of the European Parliament and of the Council of 18 February 2002 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.

Article 2

For the purposes of this Directive:

— ‘motor vehicle’ shall mean any power-driven vehicle which travels on the road by its own means,

— ‘trailer’ shall mean any vehicle intended to be coupled to a motor vehicle excluding semi-trailers, and constructed and equipped for the carriage of goods,

— ‘semi-trailer’ shall mean any vehicle intended to be coupled to a motor vehicle in such a way that part of it rests on the motor vehicle with a substantial part of its weight and of the weight of its load being borne by the motor vehicle, and constructed and equipped for the carriage of goods,

— ‘vehicle combination’ shall mean either:

  — a road train consisting of a motor vehicle coupled to a trailer; or

  — an articulated vehicle consisting of a motor vehicle coupled to a semi-trailer,

— ‘conditoned vehicle’ shall mean any vehicle whose fixed or movable superstructures are specially equipped for the carriage of goods at controlled temperatures and whose side walls, inclusive of insulation, are each at least 45 mm thick,

— ‘bus’ shall mean a vehicle with more than nine seats including the driver's seat, constructed and equipped to carry passengers and their luggage. It may have one or two decks and may also draw a luggage trailer,

— ‘articulated bus’ shall mean a bus consisting of two rigid sections connected to each other by an articulated section. On this type of vehicle the passenger compartments in each of the two rigid sections shall be intercommunicating. The articulated section shall permit the free movement of travellers between the rigid sections. Connection and disconnection of the two sections shall be possible only in a workshop,

— ‘maximum authorized dimensions’ shall mean the maximum dimensions for use of a vehicle, as laid down in Annex I to this Directive,

— ‘maximum authorized weight’ shall mean the maximum weight for use of a laden vehicle in international traffic,

— ‘maximum authorized axle weight’ shall mean the maximum weight for use in international traffic of a laden axle or group of axles,

— ‘indivisible load’ shall mean a load that cannot, for the purpose of carriage by road, be divided into two or more loads without undue expense or risk of damage and which owing to its dimensions or mass cannot be carried by a motor vehicle, trailer, road train or articulated vehicle complying with this Directive in all respects,

— ‘tonne’ shall mean the weight executed by the mass of a tonne and shall correspond to 9,8 kilonewtons (kN),

— [F3‘alternative fuels’ shall mean fuels or power sources which serve, at least partly, as a substitute for fossil oil sources in the energy supply to transport and which

have the potential to contribute to its decarbonisation and enhance the environmental performance of the transport sector, consisting of:

(a) electricity consumed in all types of electric vehicles;

(b) hydrogen;

(c) natural gas, including biomethane, in gaseous form (Compressed Natural Gas — CNG) and liquefied form (Liquefied Natural Gas — LNG);

(d) Liquefied Petroleum Gas (LPG);

(e) mechanical energy from on-board storage/on-board sources, including waste heat,

— ‘alternatively fuelled vehicle’ shall mean a motor vehicle powered wholly or in part by an alternative fuel and which has been approved under the framework of Directive 2007/46/EC,

— ‘**[**[F4]zero-emission vehicle’ shall mean a zero-emission heavy-duty vehicle as defined in point (11) of Article 3 of Regulation (EU) 2019/1242 of the European Parliament and of the Council[(8)],**]**

— ‘intermodal transport operation’ shall mean:

(a) the combined transport operations defined in Article 1 of Council Directive 92/106/EEC[(9)] engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet; or

(b) transport operations engaged in the transport of one or more containers or swap bodies, up to a total maximum length of 45 feet, using waterborne transport, provided that the length of the initial or the final road leg does not exceed 150 km in the territory of the Union. The distance of 150 km referred to above may be exceeded in order to reach the nearest suitable transport terminal for the envisaged service in the case of:

(i) vehicles complying with point 2.2.2(a) or (b) of Annex I; or

(ii) vehicles complying with point 2.2.2(c) or (d) of Annex I, in cases where such distances are permitted in the relevant Member State.

For intermodal transport operations, the nearest suitable transport terminal providing a service may be located in a Member State other than the Member State in which the shipment was loaded or unloaded,

— ‘shipper’ shall mean a legal entity or a natural or legal person who is named on the bill of lading or on an equivalent transport document, such as a ‘through’ bill of lading, as the shipper and/or in whose name or on whose behalf a contract of carriage has been concluded with the transport company.**]**

All maximum authorized dimensions specified in Annex I shall be measured in accordance with Annex I to **[**[F1]Directive 2007/46/EC**]**, with no positive tolerances.

Textual Amendments

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