



# Position Paper

To: EU Commission

From: ESTA Board of Directors

Date: Saturday, February 12, 2022

Subject: Feedback regarding a proposal for a directive revision regulating weights and dimensions of commercial vehicles.

In response to your feedback request ESTA has formulated its position with regard to the proposal for a revision of Directive 96/53 regulating weights and dimensions of commercial vehicles in this position paper.

## **ESTA's background**

The European Association of Abnormal Road Transport and Mobile Cranes (ESTA) is the unique European arm for national trade associations representing mobile crane rental and abnormal road transport companies.

Presently, ESTA represents 22 national associations from 15 European countries and has 38 affiliated members representing the other stakeholders in our industry, such as equipment manufacturers, safety officials and national regulating authorities.

The importance of the sector we represent should not be underestimated even though the volume of vehicle movements in abnormal transport is a mere 2.5% of all goods transport movements within the EU. Without abnormal transport no wind park, industrial installation, power station or infrastructure would be built and no construction machinery would arrive at any building site.

## **Current situation and grounds for amending the directive**

At present the directive in force regulates weights and sizes for commercial vehicles up to the maximum limits as stipulated. Admitting any vehicle exceeding these dimensions and weights is a matter for the national authorities of the member states. The only limitation given is that these national regulations should not be discriminatory. Apart from the fact that we have reservations about the non-discriminatory status of many national regulations related to abnormal transport, for the abnormal transport industry the directive has also led to a plethora of non-harmonised rules and application procedures in the member states. This creates huge inefficiencies and subsequently leads to higher costs

and longer lead times for a substantial part of the European manufacturing industry trying to get their products to the market.

In 2012, ESTA published an “Economic Impact Survey” for abnormal transport in which we demonstrated that an alignment of application and issuing procedures for abnormal transport permits throughout the European Union alone, would mean a cost reduction for the abnormal transport industry of sorely needed 500 million euros, and we are convinced the costs reduction for the manufacturing industries will be a multiple of that.

In addition to the arguments about efficiency and cost reduction it should also be noted that such inefficiencies also have a considerable environmental impact in the shape of unnecessary driven empty kilometres and, even worse, detours as a result of permitted routes that sometimes exceed the normal driving distance by 300%.

Last but not least, over the years the implementation of abnormal road transport permitting on a national (and often regional) level has also resulted in a huge proliferation of rules and regulations throughout the EU regarding the marking and signalisation of transports. The same goes for the regulations related to the escorting of abnormal transports that are prescribed in the permits issued.

Apart from the unnecessary bureaucracy, annoyance and extra costs this causes, we are also convinced that the existence of different rules from territory to territory has a significant, negative impact on traffic safety.

Hence, in our view, the harmonisation and alignment of these regulations is sorely needed.

### **Objectives and policy options**

In this initiative the Commission has formulated four objectives that the revision of the current rules should contribute to:

- 1) Greening road transport;
- 2) Ensuring the free movement of goods and fair conditions of competition in the internal market for road transport;
- 3) Improving compliance with cross-border traffic;
- 4) Safeguarding and, where possible, improving road safety.

ESTA acknowledges the importance of all four of these objectives and has below formulated its comments on the proposed policy measures. Our aim is to inform you about the point of view from the abnormal transport industry in an effort to assist you in your decision-making process.

### **Comments on the list of possible policy measures:**

- a) *Adapting technical standards to the needs of zero-emission heavy-duty vehicles.*

This is a logical and much needed step but not the only one necessary; for a surge in the introduction and acceptance of greener vehicles in goods transport, also an adequate refuelling (recharging) infrastructure needs to be developed. In our view future developments will show a two-track development in the design of heavy trucks: part of the vehicles will be electric and a larger part will be hydrogen driven, where we think the working range of a vehicle will be the determining factor.

- b) *Creating more incentives to increase the uptake of zero-emission heavy-duty vehicles (e.g. by allowing increased loading capacity).*  
In the abnormal transport industry the allowance of increased loading capacity can be an incentive, but it will certainly not be decisive. Far more important is the allowed transition time that transport companies will be granted to invest in green vehicles, as the abnormal transport industry has a far longer utilisation time of their vehicles. Due to the lower mileages that are typically driven in abnormal transport, utilisation times of 8-10 years are not uncommon. Hence, we are of the opinion that the present time foreseen to make the switch to all-green trucks is unrealistically short from an economic perspective, not even considering the impossibility for the manufacturing industry to meet demand.
- c) *Adapting the technical standards to the needs of new aerodynamic and energy saving technologies.*  
Although not relevant for most abnormal transports, we endorse this objective as being logical for most regular heavy goods vehicle combinations.
- d) *Providing more incentives to drive the uptake of new aerodynamic and energy saving technologies (e.g. electric trailers).*  
Although not relevant for most abnormal transports, we endorse this objective as being logical for most regular heavy goods vehicle combinations.
- e) *Adapting the technical standards to the needs of intermodal transport.*  
We do understand the logic behind the adaption (and harmonisation) of technical standards to the needs for intermodal transport. In as far as it is relevant for abnormal transport equipment, we support this objective.
- f) *Taking additional measures to promote intermodal transport (e.g. by allowing increased loading capacity).*  
The use of intermodal transport in the abnormal transport industry is of a completely different technical complexity than it is in 'regular' goods transport. Over the years abnormal transports have very frequently been executed in a multimodal fashion, mostly in the combination of road and water transport and to a lesser extend in the combination of road and rail transport. Precondition is always that a suitable location and means has to be available to make the shift from one transport mode into the next. Also in most cases the use of intermodal transport will lead to higher transport costs and longer transit times. We are of the opinion that for a valid evaluation of this topic with regard to abnormal transport a division in cargo categories should be made between the more frequent abnormal transport sizes and weights and the truly exceptional loads. Failure to do

so will have to extreme cost implications for shippers, transport companies and governments alike, without delivering any of the advantages envisaged. ESTA is committed to deliver the expertise needed to assist in such an evaluation should we be asked.

- g) *Clarifying rules on the cross-border transport of heavier and bigger vehicles. It would provide legal certainty recognising this common practice.*

We assume this objective is primarily aimed at the vehicle combinations as defined under the Aeroflex concept, and not aimed at abnormal transport vehicles as such. However, if this is the case, we wholeheartedly support this objective as we see this as an excellent opportunity to reduce CO2 emissions in goods transport in a way that can be introduced in a very short period of time. The use of these vehicles in a number of EU countries has already proved their efficiency and shown that road safety has not been impaired in any way.

- h) *Authorising automatically the cross-border transport of heavier/longer vehicles between all neighbouring Member States that allow them.*

in view of our comment to the proposal above you will appreciate we also support this proposal as a logical and much-needed step.

- i) *Aligning the maximum weights and dimensions to the most common limits currently allowed:*

*\* Extra weight of up to 44 tonnes, as already allowed in 13 Member States.*

*\* European Modular Systems of up to 25.25 metres long with/without additional weight in cross-border transport, as authorised in 10 and 9 Member States, respectively/*

*\* a loaded length of 20.75 metres for vehicle carriers.*

All of the above proposals are sound in the sense that they allow more freight to be carried in the same number of trips thus reducing the environmental impact of the road transport executed – we therefore support all three of the above proposals as a step to greener road transport.

- j) *Streamlining the EU rules further to reap the full potential of existing and emerging technological solutions, in particular European Modular Systems. This would allow extra weight up to 60 tonnes and an extra length of 25.25 metres in cross-border transport for zero-emission vehicles or vehicles used in combination with other modes of transport.*

We assume this is a further development of the proposals at g) and h); as such the European Modular Systems do not play a significant role in abnormal transport due to the fact that our loads are abnormal and therefore cannot be modularised within normal transport boundaries. However, we fully support this proposal and think it will be a good incentive for shippers and transport operators to align their cargoes and vehicles to a particular modular system.

- k) *Establishing safety requirements for the cross-border transport of oversized and overweighted vehicles.*

Assuming you are referring to the vehicle category under j) we can see some benefit in this, however we should bear in mind that only aligned, harmonised and enforced safety requirements will do any good with regard to enhancing road safety.

l) *Using modern information and communication technologies to ensure compliance with national permits and road access limitations.*

ESTA is of the opinion that we have a world to win when it comes to the introduction of modern communication and information technologies in the abnormal transport industry. We know for a fact from experiences in other parts of the world (in particular, the United States and Australia), that the introduction of effectively designed online permitting systems leads to a rise in the number of transport permits applied for, and at the same time reduced costs for the issuing authorities. In addition, the number of infrastructure damage incidents was significantly reduced in these states.

The acceptance of electronic issuing of permits for abnormal road transport will also diminish the need for producing the many paper copies that have to be carried during transport and will allow the use of real time spoken instructions to truck drivers following a permitted route with an abnormal transport. This will abolish the need for the driver to 'read and drive' at the same time, thus greatly enhancing traffic safety. All of the above is not news – the systems we describe are already in existence and in use in various parts of the world. The only reason we are not using them in Europe is because of regulatory barriers at a national level.

A third possibility we see for information technology in abnormal transport would be to connect the vehicle position by GPS to an ITS (Intelligent Access System) As we have learned from the discussions in the CEDR and PIARC fora, systems already in place in Australia and the United states have shown a reduction in road congestion problems, transport route violations and (not unimportant) enforcement costs made by governments.

From the above it will be clear that ESTA supports the development of all IT and communication systems that may contribute to a better regulated and more efficient abnormal transport industry. However we want to emphasise that any development in this field needs to have a harmonised approach by all member states. The present road toll situation in Europe is a striking example of what the transport sector does not need.

m) *Revising the European Best Practice Guidelines for Abnormal Road Transports.*

In the first paragraph of this paper where we described the present situation you will have noticed the patchwork of regulations and procedures currently regulating the abnormal transport industry. It is strikingly clear that if we want to achieve a more efficient and better regulated abnormal transport sector in Europe a further harmonisation of rules and modernisation of regulations and procedures is needed. ESTA gave its input during the establishment of the first publication of the European Best Practice Guidelines for Abnormal Road Transport in 2008. Unfortunately we have noticed that many of the member states have not

implemented any of the recommendations they have drafted themselves. When it comes to the abnormal transport industry, a lot of what you wish to achieve in the revision of the directive can be achieved by revising the Best Practice Guideline for Abnormal Transports. However it is crystal clear that without changing the status of this new document into a compulsory regulation, no changes 'on the ground' will come about.

ESTA strongly supports a revision of the Best Practice Guide with the objective to arrive at an European abnormal transport permitting system that is:

- Non discriminative
- Harmonised
- Internet based
- A one-stop shop in every EU member state.

Revising and implementing the Best Practice Guide for Abnormal Transport will give us an opportunity to:

- \* Raise the efficiency of the transport of abnormal loads in Europe and subsequently support the European manufacturing industry;
- \* Harmonise and modernise the issuing of permits, make the process of enforcement more efficient and effective;
- \* Allow the use of intelligent access systems to regulate and control abnormal transports.

## **Conclusion**

ESTA is committed to assisting the European Commission and all interested companies and regulators in making substantial improvements to the professionalism and efficiency of the abnormal transport sector - for the benefit of European industry as a whole.

A key element in such improvements will be the harmonization of standards and we strongly believe that establishing and supporting a new version of the Best Practice Guide for Abnormal Transport would play a crucial role. We would be happy to be involved, should we be asked.