

Request regarding national regulations under Directive 96/53/EC - maximum length of vehicle combinations

Directive 96/53/EC lays down the framework for harmonized requirements regarding dimensions for vehicles. It reflects 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 living conditions.

It is in this context important that these requirements also acknowledge specific challenges within the EEA-countries which need special consideration, for example special road- and weather conditions. There are specific climatic and topographical challenges using these vehicle combinations to conduct transport on Norwegian roads. Road conditions in winter are often demanding. Every winter we experience problems with vehicle combinations not being able to cope with the winter road challenges resulting in traffic jams and road accidents. There are also specific challenges using such vehicles when driving on narrow and undulating roads and when driving on and off ferries during high and low tides, conditions which are often met in large areas off the major highways and off the central areas around Oslo. The whole of the Western Coast of Norway represents in this respect a challenge to all road haulers. These special conditions on Norwegian roads have made it necessary to use other types of vehicles, especially drawbar trailers instead of centre-axle (piggyback) trailers and the use of vehicles with three axles to pull semi-trailers.

Drawbar trailers are used because they are considered to be more suited for Norwegian road conditions, especially in the winter time, than the typical EU-road train with centre-axle (piggyback) trailer. This has much to do with better directional and turn-over stability because of longer distance between the axles on the trailer. This combination does however require longer distance between motor vehicle and trailer than the centre-axle (piggyback) trailer, or else the truck and trailer will strike into one another. Motor vehicles with three axles are often used to transport semi-trailers because the operators after long experience have found this to be best suited for the special weather- and road conditions in Norway.

This is the background for the Norwegian transitional arrangement allowing longer vehicles than the general requirements of Council Directive 96/53/EC regarding maximum authorized dimensions in national and international traffic (Directive), cf. article 4 no 6 of the Directive. Norway allows vehicle combinations with drawbar or centre-axle (piggyback) trailers registered before 1997 to be 19 metres long and vehicle combinations with semi-trailers to be 17 metres long. This transitional arrangement expires 31 December 2006, and the Norwegian authorities are considering continuing

to allow longer vehicles, to allow the use of the abovementioned type of vehicles suited for Norwegian roads.

During this transitional period the operators have gathered practical experience in the use of different types of vehicle combinations, also with the use of vehicle combinations with trailers within 18,75 metres on Norwegian roads. The main challenge is how to achieve a maximum cargo length of 15,65 metres within 18,75 metres when transporting two 7,82 metres long containers. The use of 7,82 metres long containers is today common practise all over Europe. However, when using vehicle combinations with centre-axle (piggyback) trailers, the distance between truck and trailer is so small (approximately 70 cm), that they strike into one another causing damage to both truck and trailer especially when travelling on narrow and undulating roads and driving on and off ferries during high or low tides. This also causes dangerous situations for other road users. The transporters have tried different technical adaptations to utilize the loading length using drawbar trailers within 18,75 metres, eg. amending the construction of the trailer by placing a bogie in front and trailer couplings installed well under the lorry's rear end. There has also been an attempt with coupling devices that extends when passing corners and retracts when driving straight ahead. No adaptation has however been successful in solving the problems on secondary rural and bumpy roads and when driving on and off ferries.

When using motor vehicles with three axles pulling semi-trailers constructed to be pulled by vehicles with only two axles, technical adaptations on these vehicles are necessary not to exceed the maximum overall length of 16,5 metres. The swing disc is pulled back to allow coupling, and the axle length is made shorter. Shorter distance between the axles reduces driving stability and is therefore considered not favourable with regard to road safety. Thus it has become common practise to use triple-axle vehicles (with tandem-bogie), which is also considered to be more road friendly due to the reduced drive-axle load.

The Norwegian authorities are considering to continue allowing more space within the vehicle length. This will imply a total length of vehicle combinations with drawbar or centre-axle (piggyback) trailer up to 19,5 metres. We are also considering to allow vehicles with three axles to be used without technical adaptations pulling semi-trailers, by allowing such combinations to have a total length of 17,5 metres. The maximum allowable loading length will not be altered. These proposals will only be applicable for transport in Norway.

It is our opinion that such regulations may be acceptable within Directive 96/53/EC, and in accordance with article 4. no 4 of the Directive, which allows the Member states to allow vehicle combinations used for transport which carry out certain national transport operations and not significantly affects international competition in the transport sector, even if they deviate from point 1.1 of annex 1 to the Directive.

These proposals will take effect for specific types of vehicle combinations and primarily in western and northern parts of Norway with many ferries and narrow and undulating roads. These proposals can therefore be considered to apply to certain national transport operations.

We can furthermore not see that we, by allowing more space within the vehicle length, are affecting international competition in the transport sector significantly. We make no alterations to the maximum allowable loading length, which will still be in accordance with the Directive and be the same for all operators. This means 15,65 metres for vehicle combinations with drawbar or centre-axle trailers and 13,6 metres for combinations with semi-trailers. Transport with such longer vehicle combinations will furthermore be allowed for all operators. We therefore believe that every operator will benefit from equal conditions of competition, cf article 4 no 4 b.

These proposals are furthermore consider proportionate, because they do not go further than what is necessary to secure the important issues concerning road safety.

We are aware of that transport operators which can offer longer vehicle combinations in some areas may have a competitive advantage, regardless of the cargo length, when transport assignments are handed out. It can be argued that this may cause unequal conditions of competition in relation to transport operators from other EEA-states with road trains in accordance with the directive. We consider this not to be the case. The loading length is by far the element that mostly affects the competition, cf article 4 no 4. Also, any competitive advantage will be small, and limited to some roads on the western and in the northern parts of Norway. We can therefore not see that an exemption as proposed above will significantly affect international competition.

These questions are therefore addressed to the European Commission. We would like to know the European Commission's views on the interpretation of the Directive.

Because of the short time to expiration of the transitional arrangement, and the importance of this issue for Norwegian hauliers, we would very much appreciate if the Commission would give priority to a response.

For further information, and graphic illustrations, please find enclosed information from the Norwegian Hauliers Association.