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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	WK 8722/25
N° Cion doc.:	ST 11722/23 INIT + ADD 1 - 5
Subject:	Proposal for a Directive of the European Parliament and of the Council 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 - Presidency non-paper = Comments from the Netherlands

Delegations will find, attached, comments from the Netherlands on the above-mentioned document.

Written Comments – Weight and Dimensions

We would like to thank the Presidency for the non-paper and for giving priority to this directive. However, we would like to share some observations and request clarifications.

We welcome the additional weight for trucks with an e-trailer, for zero-emission vehicles as well as maintaining the maximum driven axle load of 11.5 tons.

Regarding the use of the smart tachograph, we would like clarification on how weight detection with a tachograph works and what implications this has for the administrative burdens on businesses. We have concerns about a potential increase in these burdens and would therefore appreciate more detailed information. Additionally, how does the use of the smart tachograph to detect weight relate to the On-board Mass monitoring option recently proposed in Implementing Regulation No. 595/2009?

Clarification is welcome on the first bullet under "Fair competition and supporting the internal market." The second sentence, beginning with "however," seems to introduce an exception rule but it is unclear what that exception entails. Does it mean, for example, that diesel trucks with higher weights and axle loads can be exempted from operating cross-border if a Member State decides not to permit it? We are in favor of allowing EMSs to operate cross-border, including diesel variants. Therefore, we do not support the possibility for Member States to restrict EMSs.

Regarding the final point under Enforcement, we are cautious about the provision allowing Member States to close roads to specific types of vehicles due to the state of the infrastructure. This may create fragmentation and undermine the harmonization of the 44-tonne. We would prefer clearer safeguards in this regard, such as requiring Member States to provide prior notification before closing roads to specific types of vehicles, accompanied by explanations based on objective and verifiable evidence.

As stated in article 10b of proposals before, we support allowing additional length to stimulate for Zero Emission technologies, as long as the turning radius remains unaffected to ensure road safety. From an enforcement perspective, it is essential that the additional length is defined in absolute terms (a maximum of 90 cm), as originally proposed by the Commission. Without a specific limit in absolute terms, practical enforcement would be unfeasible.