



Council of the European Union  
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Brussels, 26 September 2025

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**Interinstitutional files:  
2023/0265 (COD)**

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WK 12414/2025 ADD 2

**LIMITE**

**TRANS**

**CLIMA**

**ENV**

**COMPET**

**CODEC**

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## **WORKING DOCUMENT**

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From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12730/1/25 REV 1
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 compromise proposal = Comments from Germany

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

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WK 12414/2025 ADD 2

**LIMITE**

**EN**

**DE Comments on** Presidency's compromise proposal of 2025-09-15.

= 12730/1/25 REV 1 and 12730/25 ADD 1

**Introductory Remarks**

- DE thanks the Presidency for presenting this compromise proposal and wishes every success for the upcoming discussions.
- DE welcomes some major improvements to the new compromise proposal, such as the use of on-board mass monitoring data in Recital 17a and Article 10d(1a). Better enforcement tools are a prerequisite for higher maximum weights as they allow Member States to effectively tackle the issue of overloading and thus to protect their infrastructure. DE welcomes and supports the clarification by the Presidency that this solution would require no retrofitting because the rules would only be applicable to vehicles registered for the first time after 1 December 2029 and they will be equipped with this technology anyway.
- DE also welcomes the explicit mention in Article 4 (4a) that national requirements for EMS vehicles can be retained.
- DE welcomes the change in Article 10d (2) to “an appropriate level of checks” and the deletion of the obligation for an appropriate number of checks at nighttime. Checks during night hours are also mentioned in recital 17, where this obligation should also be removed.
- DE is thankful for the clarification on the “one-stop shop”.
- DE also welcomes the continuation of the maximum axle load of 11.5 t for driven axles.

However, some issues still need to be clarified. In this regard, DE would like to highlight a few points and specify them in more detail on the following pages.

# I. Key Aspects on the new Compromise Proposal

Please find below a list of our suggested changes (marked in red font). In addition, a brief justification/comment has been provided for each amendment.

## 1. Extract from the new Compromise Proposal

### Article 4 (4a)

~~“(d) the Member States shall set a monitoring system and assess the impact of European Modular Systems on road safety, on the road infrastructure, on modal cooperation, as well as the environmental impacts of European Modular Systems on the transport system, including the impacts on modal split.”~~

### Article 4 (5)

~~“Member States shall set a monitoring system and assess the impact of the trials referred to in the first subparagraph on road safety, on the road infrastructure and on modal cooperation, as well as the environmental impacts on modal split.”~~

~~(e) the following paragraph 5a is inserted:~~

~~“5a. The Commission shall be empowered to adopt delegated acts in accordance with Article 10h to supplement this Directive by determining the minimum sets of data and the performance indicators to be provided by the monitoring systems set up by the Member States as referred to in paragraphs 4a, point (d), and 5 of this Article.”~~

### DE Comment:

Monitoring Provisions: Monitoring of EMS should, in principle, be conducted on a voluntary basis and should not result in any additional mandatory reporting or surveillance obligations. In this regard, the amendments proposed are welcomed. Administrative burdens must remain manageable. However, Member States should be encouraged to collect and share data and insights in order to identify potential needs for adjustment in a timely manner.

In the case of trials (i.e. traffic pilot projects), it can be assumed that scientific monitoring and observation would take place as a matter of principle. The resulting data should be appropriately used and reported. However, the Commission should not be granted the authority to regulate the specific procedures, especially as this could pose challenges with regard to the academic freedom of research institutions conducting the scientific evaluation of such trials.

## **2. Extract from the new Compromise Proposal**

### **Article 10d**

“1a. Vehicles equipped with on-board mass weighing equipment compliant with Regulation 2019/1213 and registered for the first time from 1 December 2029 shall transmit the total weight determined by on-board mass weighing equipment by remote communication via the tachograph in order to be eligible for the additional weight granted in points 2.2.1 and 2.2.2 of Annex I to zero-emission vehicles. The information transmitted may only be used by Member states to identify vehicles that may exceed maximum authorised weights.

1b. The Commission shall submit, where appropriate, legislative proposals to ensure the requirements for vehicles and vehicle combinations subject to paragraph 1a can be fulfilled for newly registered vehicles from 2029 with on-board mass weighing equipment.”

#### **DE requests a review:**

DE would like to ask the Presidency for clarification for why OBMM is mentioned explicitly in Recitals 17a and 17b, but not in this article.

DE would welcome it if the Commission would ensure that the technical requirements for an onboard weighing system, as set out in Implementing Regulation (EU) 2019/1213, are comparable to the recently adopted specifications (regarding resolution, measurement error, availability, etc.) for OBFCEM/OBMM under Regulation 595/2009 and intended for application under EU Regulation for HDV CO2 standards (Regulation (EU) 2019/1242).

### 3. Extract from the Draft Compromise:

Amendments to Regulation (EU) 2020/1056 (eFTI)

**Article 2**  
*Amendments to Regulation (EU) 2020/1056*

In Article 2(1), point (a), of Regulation (EU) 2020/1056, the following point (vi) is inserted:

‘(vi) Article 6(7) of Council Directive 96/53/EC\*.’

Deletion of Article 2 of the Directive proposal

~~*Article 2*~~

~~*Amendments to Regulation (EU) 2020/1056*~~

~~In Article 2(1), point (a), of Regulation (EU) 2020/1056, the following point (vi) is inserted:~~

~~‘(vi) Article 6(7) of Council Directive 96/53/EC\*.’~~

#### **Justification**

Corresponding to the deletion of all references to eFTI in Article 2, in Article 6(7) and in recital (13) of Council Directive 96/53/EC, there is no reason to maintain the proposed amendments to Regulation (EU) 2020/1056.

#### 4. Extract from the new Compromise Proposal

##### Annex I, No. 1.1 and 1.6.1.

<i>1. Maximum authorised dimensions for the vehicles referred to in Article 1(1), point (a)</i>	
<i>1.1 Maximum length</i>	
— articulated vehicle	16,50 <b>17,88</b> m

<i>1.6 Maximum distance between the axis of the fifth-wheel king pin and the rear of a semi-trailer.</i>		12,00 m
<b>1.6.1</b>	<u><i>Maximum distance between the axis of the fifth-wheel king pin and the rear of a semi-trailer - in case the semi-trailer is documented suitable for intermodal <b>and combined</b> transport operations.</i></u>	<u>13,38 m</u>

#### Comment:

DE supports the Presidency's proposal under points 1.1 and 1.6.1.

In this context, we kindly ask for an additional proposal that provides further incentives for investments in zero-emission vehicles.

## 5. Extract from the new Compromise Proposal

### Annex I Nr. 1.1

“In the case of articulated vehicles including zero-emission motor vehicles, the maximum authorised length provided for in Sub-section 1.1 shall be increased by ~~0,9 m~~ **0,61 m, including an aerodynamic vehicle-front.**”

#### Justification

For articulated trucks with a total length of 17.88 m, any additional length allowances granted for the installation of aerodynamic front structures, extended driver cabins, or alternative fuel systems must be limited. The currently proposed 0.9 m extension appears to be excessive. According to recent research findings available to us, safe maneuverability within traffic infrastructure (e.g. roundabouts) would no longer be guaranteed in all cases.

Our application-oriented studies, based on empirical data from industry associations and partners, indicate that a total extension of 0.61 m (green dashed line) is achievable. This figure already accounts for a frontal area increase of 0.18 m.

A similar restriction for vehicles with a length of 16.5 m has not yet been examined by DE and, based on current knowledge, appears to be less critical.

## 6. Extract from the new Compromise Proposal

### Annex I, No. 2.2.4

In the case of vehicle combinations including zero-emission motor vehicles the maximum authorised weights provided for in points Sub-section 2.2.1 and 2.2.2 (a), (b) and (c) of Sub-section 2.2 shall be increased by **-4 2 tonnes**.

#### Justification

Due to the older bridge stock in Germany, with bridges that were designed decades ago for significantly lower loads, it is not possible to raise the loads for the vehicles and vehicle combinations mentioned to the proposed level for reasons of structural safety. On classified roads with a high proportion of heavy truck traffic, bridge safety specifications are being violated, resulting in the structures operating outside their permitted limits, as a current scientific study shows. This not only increases maintenance costs exponentially, but also creates a reasonable risk that structures will fail unexpectedly and possibly without notice. Therefore, we can only agree to an increase in the total vehicle weight to 42 tons for the aforementioned vehicles and vehicle combinations.

**More opportunities for increasing the weight** would exist if vehicles and vehicle combinations were generally **converted to 6-axle vehicles with 3-axle tractors** (Fig. 1, Typ 106), two of which are driving axles, as these vehicles would transfer axle loads less aggressively to the bridges. **Germany is open for discussion on this approach.**

Due to the high damage potential, the axle load must remain at 11.5 tons and must not be increased.

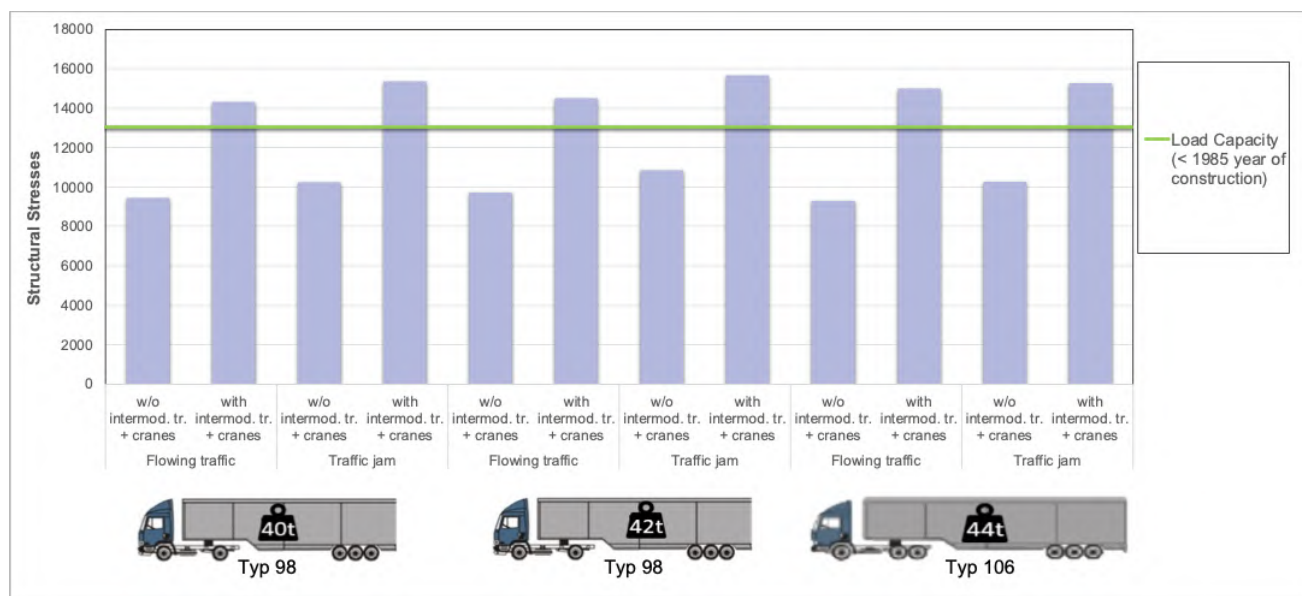


Fig. 1: Bridge stresses from rules-based traffic of different weights

Overloading is highly unfavourable and potentially damaging (Fig. 2), so it must be reliably prevented. In Germany about 10% of the measured vehicles are overloaded (Fig. 3). Therefore, possible ways of axle load control, whether on the vehicle side or on the infrastructure side, must continue to be discussed and converted into practical solutions.

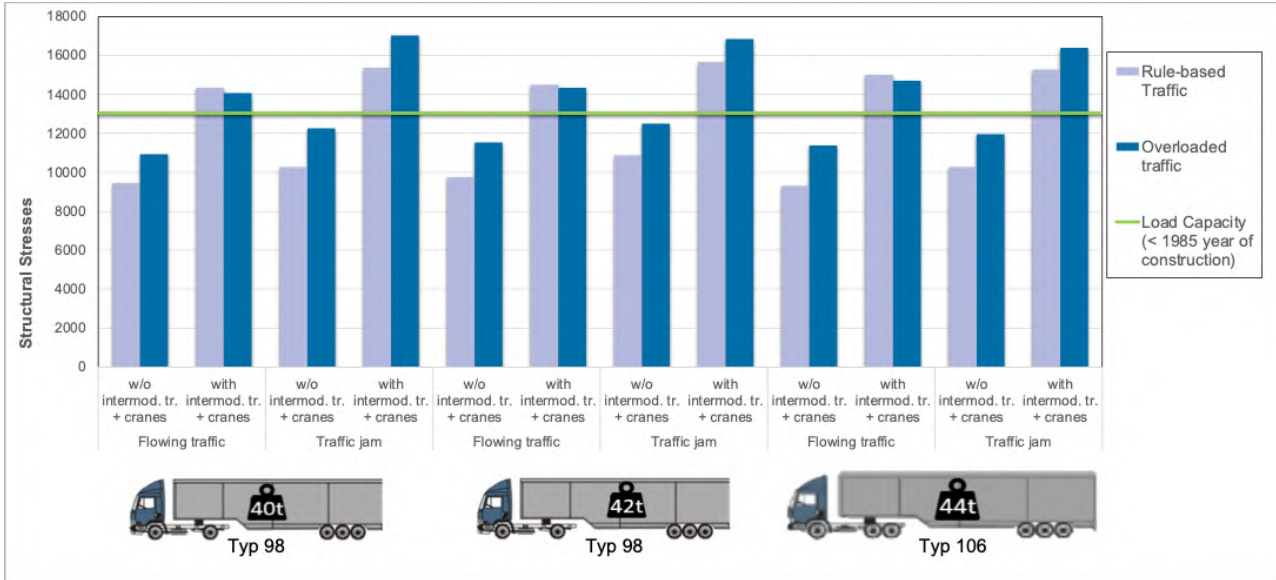


Fig. 2: Bridge stresses from rules-based traffic and expected overloaded truck traffic of different weights

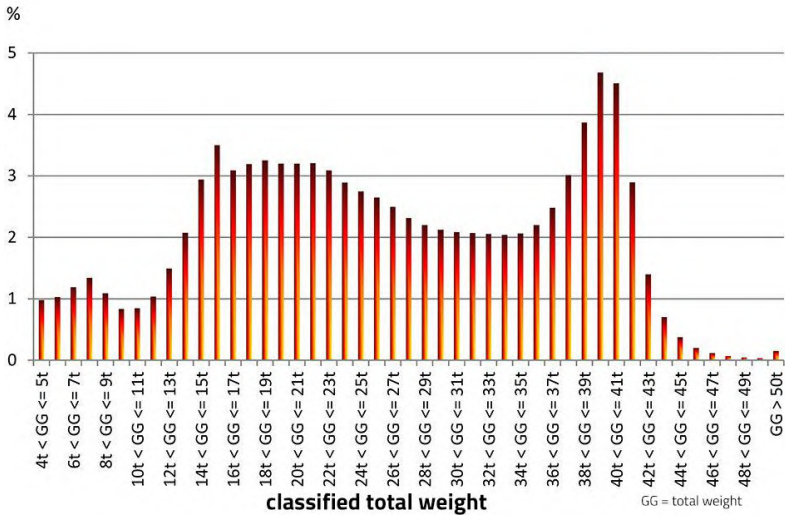
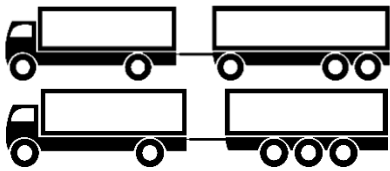
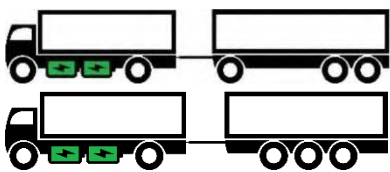
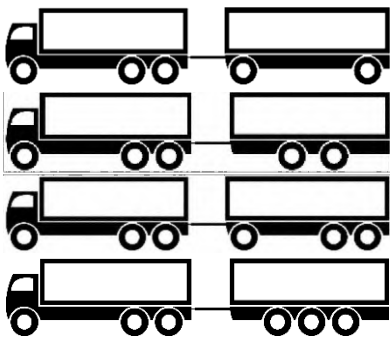
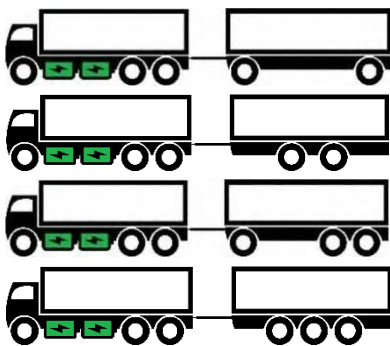






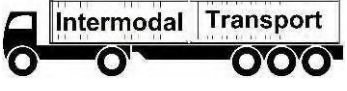
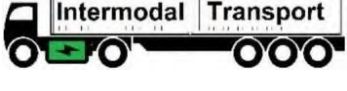
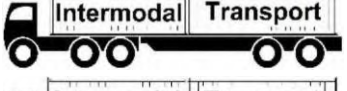

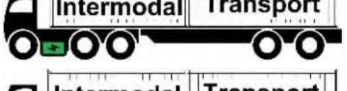



Fig. 3: Total weight frequency distribution from WIM-stations in Germany

7. Extract from the new Compromise Proposal 12730/25 ADD 1

Annex I

96/53/EC Annex 1 - 2.2 Vehicle combinations		Current Maximum Authorised Weight	New Maximum Authorised Weight (proposed)	
2.2	2.2.1 (a)		40 t	-
		zero-emission motor vehicle 	42 t	<b>44 t 42 t</b>
	2.2.1 (b)		40 t	-
		zero-emission motor vehicle 	42 t	<b>44 t 42 t</b>

2.2.2 (a)		40 t	-
	<i>zero-emission motor vehicle</i> 	42 t	<b>44 t 42 t</b>
2.2.2 (b)	 	40 t	-
	<i>zero-emission motor vehicle</i>  	42 t	<b>44 t 42 t or 43 t with two driving axles</b>
2.2.2 (c)		42 t	-
	<i>zero-emission motor vehicle</i> 	<b>42 t</b>	<b>44 t</b>
2.2.2 (d)	 	44 t	-
	<i>zero-emission motor vehicle</i>  	46 t	-

### Justification

A detailed justification, including excerpts from our latest scientific research, can be found under point 4.

**Additional Remark:**

Possible transmission error in PDF document (12730/25 ADD 1):

DE kindly requests verification as to whether the status quo for Annex I No. 2.2.2 (c) regarding zero-emission vehicles is correctly stated in the separate PDF document (12730/25 ADD 1). We suspect a transmission error, as the status quo is listed as 42 tonnes instead of 44 tonnes.