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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12730/2/25 REV 2
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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 - Revised Presidency compromise proposal = Comments from Sweden

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

Written comments by Sweden regarding revision of directive 96/53/EG on weights and dimensions

Article 10d, paragraph 1a and 1b

The proposed 1a paragraph states that zero-emission vehicles registered from 1 December 2029 must be equipped with OBMM in order to be eligible to the additional weight according to points 2.2.1 and 2.2.2 of Annex I, and that the OBMM equipment must be able to remotely communicate reliable weight data for vehicle combinations in traffic to roadside enforcement authorities. Furthermore, paragraph 1b states that the smart tachograph can be used to transmit data according to paragraph 1a.

SE supports that the reference to Implementing Regulation (EU) 2019/1213 is deleted in the compromise proposal.

SE cannot support the proposed paragraph 1b and its connection to the smart tachograph. Although the use of the smart tachograph can be seen as an alternative to transmitting OBMM data, SE cannot support the proposal that this data may be used together with the tachograph.

Justification:

The purpose of the tachograph is to record information on driving and rest times. Experience shows that the regulation of the tachograph is complicated and the introduction of the latest version of the tachograph (smart, version 2) is associated with extensive problems. This has a major negative impact on the entire transport industry and the reliability of the tachograph system as such.

It is also important to remember that freedom of choice for MS to use the tachograph for remote communication on weight actually means that there is no freedom of choice for the industry. For the system to work for a single MS, the technology must be developed by both tachograph and vehicle manufacturers. This, in practice, means that it will be mandatory for the industry, as they need access to the overall market. It is unlikely that the industry would develop a specific tachograph for one or a few MS that introduces the proposal. For SE it is therefore important that OBMM remain outside the tachograph legislation, since there are significant technical challenges in combination with unjustified costs for the industry.

Additional questions:

The implementing act 2025/xxx introducing OBFCM and OBMM requirements for heavy duty vehicles does not define the test procedures and accuracy requirements for pure electric vehicles/zero emission vehicles and the OBMM devices. Instead there is a monitoring period starting from May

2029. Can there be a problem to acquire reliable weight data when there is no procedure or accuracy required on the OBMM devices?

OBFCM and OBMM are introduced to monitor the vehicle fleet and to assess any bias in the vehicle fleet. With the objective to correct the average CO2 for the fleet for a manufacturer. **Can there be an issue to use data from individual vehicles when the system is designed to be used on the vehicle fleet?**

Annex 1, 4.3 (Maximum authorised weight depending on the wheelbase of a vehicle combination)

Sweden welcomes that the Danish presidency has re-introduced Belgium's bridge formula.

Sweden wishes to see the following changes:

PRES proposal	SE proposal
<p><u>4.3 The maximum authorised weight of a vehicle combination, as set out in section 2.2, must not exceed either 42 tonnes or the value calculated using the formula below, whichever is lower. This limitation applies irrespective of any higher weight limits permitted under preceding provisions.</u></p> <p>Weight in tonnes $\leq 2,7 \times A + 13,5$</p>	<p><u>4.3 The maximum authorised weight of a vehicle combination, as set out in section 2.2, must not exceed either</u> <i>may only exceed</i> <u>42 tonnes or the value calculated using the formula below, whichever is lower. This limitation applies irrespective of any higher weight limits permitted under preceding provisions.</u> <i>if the value calculated using the formula below equals or exceed the weight of the vehicle combination.</i></p> <p>Weight in tonnes $\leq 2,7 \times A + 13,5$</p>

Justification:

The proposed wording in the compromise text limits the maximum permissible weight to 42 tonnes even though some vehicle combinations as specified in subsection 2.2 allow higher weights. This is to our understanding unintentional and cannot be supported by Sweden. The wording proposed by SE above removes this limitation.