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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
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 - Revised Presidency compromise proposal = Comments from Portugal
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Delegations will find, attached, comments from **Portugal** on the above-mentioned document.

Proposal for a Directive amending Council Directive 96/53/EC (dimensions & weights)

Revised Presidency compromise proposal (12730/2/25 REV2)

Comments from PT

Article	12730/2/25 REV2	Comments	
		PT	EN
Article 4 c)	<u>(c) the international transport operations are carried out by vehicles or vehicle combinations with weights and/or dimensions deviating from those laid down in Annex I within a geographical scope of not more than 650 km as the crow flies from the point of entry into the territory of the Member States concerned, without discrimination.</u>	<p>Entende-se que o texto proposto não assegura a harmonização pretendida, por não evitar as distorções de mercado e não garantir a igualdade de tratamento entre os transportadores em toda a União.</p> <p>A imposição de uma restrição para as operações de transporte internacional realizadas por veículos ou combinações de veículos com pesos e/ou dimensões diferentes dos estabelecidos no Anexo I, que se fixa no valor de 650 km, medidos em linha reta a partir do ponto de entrada no território dos Estados-Membros em causa, limita a ação dos operadores e compromete o objetivo de harmonização, não garantindo as operações transfronteiriças de uma forma justa e equilibrada, uma vez que, para determinados operadores, esse âmbito de ação é suficiente para fazer o</p>	<p>PT considers that the proposed text does not ensure the intended harmonization, as it does not prevent market distortions nor guarantees equal treatment among hauliers throughout the Union.</p> <p>The imposition of a restriction on international transport operations carried out by vehicles or vehicle combinations with weights and/or dimensions different from those established in Annex I – consisting of a distance limit of 650 km, measured in a straight line from the point of entry into the territory of the Member State concerned - limits the operators' activity and undermines the objective of harmonization. It fails to guarantee cross-border operations in a fair and balanced manner, since, for certain operators, such a geographical scope is sufficient to perform the desired cross-</p>

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		<p>transporte transfronteiriço desejado, mas para outros transportadores, tal limitação não permite realizar o transporte ambicionado, uma vez que, em determinadas circunstâncias, poderá ser obrigado a alterar o transporte em curso, a meio do percurso realizado num estado membro.</p> <p>Também não se encontram justificados os critérios que determinaram afixação do âmbito geográfico em 650 km.</p>	<p>border transport, whereas for others, this limitation prevents them from carrying out the intended transport (this affects in particular the countries most distant from the centre of Europe). In certain circumstances, transport operators may even be forced to modify the ongoing transport midway through the journey within a Member State.</p> <p>The criteria underlying the establishment of the 650 km geographical scope are likewise not substantiated (nor understood).</p>
Article 4a	<p>'4a. Member States may allow the circulation in their territories in national and international traffic of European Modular Systems subject to all of the following conditions:</p> <p>(a) the Member States shall make publicly available, in an accessible and transparent way, the information related to the maximum weights and dimensions applicable to the circulation of European Modular Systems in their territories;</p>	<p>O novo Artigo 4a) implica para os Estados Membros a necessidade de:</p> <ul style="list-style-type: none"> - Disponibilizar ao publico de forma acessível e transparente, as informações relativas à parte da rede rodoviária onde os Sistemas Modulares Europeus podem circular; - Assegurar a conectividade da parte da rede onde os Sistemas Modulares Europeus podem circular nos seus territórios com a rede rodoviária dos Estados-Membros vizinhos que também permitem a circulação de Sistemas Modulares Europeus, a fim de permitir o tráfego transfronteiriço. 	<p>The new Article 4a) requires Member States to:</p> <ul style="list-style-type: none"> - Make publicly available, in an accessible and transparent manner, information on the sections of the road network where European Modular Systems (EMS) are authorised to circulate. - Ensure the connectivity, within their territories, of those network sections where EMS are authorised to circulate with the road networks of neighbouring Member States that also permit the circulation of EMS, so as to facilitate cross-border traffic.

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	<p>(b) the Member States shall make publicly available, in an accessible and transparent way, the information related to the part of the road network where European Modular Systems can circulate;</p> <p>(c) the Member States shall ensure the connectivity of the part of the network where European Modular Systems can circulate in their territories with the road network of neighbouring Member States that also allow the circulation of European Modular Systems, in order to enable cross-border traffic.</p>	<p>A eventual necessidade de Portugal ter de efetuar trabalho interno por forma a dar resposta aos requisitos legais em referência, implicando uma interação com outras entidades como a infraestruturas de Portugal, a ANSR, entre outras, deve ser ponderado no que se refere à fixação do prazo de aplicação das mediadas em consideração.</p>	<p>The need to prepare internally - including coordination among multiple entities - to comply with the requirements indicated above should be taken into account when determining the timeline for the implementation of the measures under consideration.</p>
Article 10d	<p><u>1c. The Commission may adopt delegated acts postponing the date referred to in paragraph 1a by 6 months if this is necessary to ensure that newly registered vehicles are able to transmit weight data by remote communication.</u></p>	<p>A presente formulação não se encontra alinhada com o considerando (17b), o qual refere "<u>Moreover, the Commission should be able to postpone the date of 1 december 2029 with no more than 18 months if this is necessary to ensure the ability of transmitting the weight data.</u>"</p> <p>O artigo refere 6 meses e o considerando menciona 18 meses.</p>	<p>The current formulation is not consistent with recital 17b, which provides that: "<u>Moreover, the Commission should be able to postpone the date of 1 december 2029 with no more than 18 months if this is necessary to ensure the ability of transmitting the weight data.</u>"</p> <p>While the article establishes a period of 6 months, recital 17b clearly refers to a</p>

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			maximum of 18 months, introducing an inconsistency that should be addressed to ensure alignment between the provisions.
<p>Annex 4.3 Maximum authorised weight depending on the wheelbase</p>	<p><u>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>where A is the distance in metres between the axes of the foremost and rearmost axles of the vehicle combination.</p>	<p>Não é claro o alcance pretendido com a presente formulação.</p> <p>De acordo com o disposto, aparentemente, não será possível que o peso máximo autorizado de um conjunto de veículos, seja superior a 42 toneladas, independentemente de quaisquer limites de peso mais elevado permitidos ao abrigo das disposições anteriores.</p> <p>A ser assim, o peso bruto máximo previsto para o ponto 2.2.2 (d), conjunto veículo a motor — semirreboque de 5 ou mais eixos, envolvido em operações de transporte intermodal, não poderá ser igual a 44 toneladas, conforme estabelecido na alínea (d) do ponto 2.2.2 do referido anexo.</p> <p>Deve ser esclarecido o alcance pretendido com a presente proposta de texto.</p>	<p>The purpose of the current amendment is not clear.</p> <p>According to the amended § 3 (4.3 of Annex), it would apparently not be possible for the maximum authorized weight of a vehicle combination to exceed 42 tonnes, regardless of any higher weight limits permitted under previous provisions.</p> <p>If this is the case, the maximum gross weight foreseen in point 2.2.2(d), for vehicle combinations consisting of motor vehicle with semi-trailer with five or more axles, involved in intermodal transport operations, could not be 44 tonnes, as established.</p> <p>Clarification is needed regarding the purpose of this amendment.</p>