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LIMITE

**TRANS
CLIMA
ENV
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CODEC**

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 8591/26
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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 - Four-column document = Comments from Portugal

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

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 (st08591/26)

Comments from PORTUGAL

Indivisible loads, the one-stop-shops and the EU platform

Line 102a

Portugal does not support the deletion of the reference to the “single national access point”.

In the absence of an explicit obligation to establish a *single national access point for information on the maximum weights and dimensions permitted in a Member State*, the mechanism ensuring centralised access to such information would be lost, thereby reducing predictability and increasing the likelihood that journey planning will rely on fragmented information.

The consolidation agreed in line 103b (*a single publicly available website*) does not replace the substantive obligation: without line 102a, the “single point” would depend on voluntary and non-uniform solutions across Member States, thereby undermining comparability and interoperability.

Portugal would therefore prefer to retain line 102a, allowing compliance to be achieved through a single public website (as set out in line 103b), without imposing a specific technological architecture.

Line 103a

By narrowing the scope of the national access point to “national maximum authorised weights and dimensions” (without reference to “restrictions, including on height, in specified areas or on specific roads”), the Presidency compromise removes a critical element for incident prevention (clearance gauges/height limits and route- or area-based restrictions).

From a road safety perspective, height/clearance gauges and route- or area-based restrictions constitute critical information to prevent emergency manoeuvres, vehicle immobilisation/stranding, and collisions with road infrastructure such as bridges and tunnels.

Placing this matter only in a recital (without corresponding provisions in the operative part of the text) weakens enforceability and the effective obligation to provide information on restrictions.

Therefore, Portugal does not support the proposal to limit the information provided by the national access points to “maximum authorised weights and

dimensions”, without reference to “restrictions, including on height, in specified areas or on specific roads”.

As such, Portugal proposes reinstating the reference to “restrictions, including on height, in specified areas or on specific roads” in the operative part of the text; or, should it be unavoidable to retain it in a recital, ensuring unambiguous and operational wording, including:

- i) identification of the source/responsible authority; and
- ii) a timestamp (date and time) of the last update.

Line 103c

Portugal supports the “EU portal with links” to national one-stop-shops model; however, we consider that, in the absence of a phasing-in approach and minimum update requirements, the proposed deadline (“[6 months after transposition]”) may be ambitious.

Additionally, Portugal suggests clarifying the minimum requirements, namely the identification of the source/responsible authority and a timestamp (date and time) of updates, as well as a “best effort” approach for temporary restrictions (works/incidents) and a phased implementation, in line with the position submitted in April.

Indivisible loads, permits

Line 78

Portugal considers that the Presidency proposal for a “machine-readable format” and the harmonisation of issuance timelines is positive, provided that it does not impose unfeasible obligations without a phased implementation approach.

Line 79

Portugal suggests maintaining the focus on proportionate and non-discriminatory conditions, avoiding language requirements and promoting instead the use of pictograms (which improve safety and reduce the risk of errors).

Line 80

Portugal supports the Presidency’s position regarding the “need to wait until it is clear what is in the Annex...”; it is suggested to avoid open-ended or ambiguous references to sections of the Annex until the final text is stabilised.

Line 104

Portugal considers that the compromise solution put forward by the Presidency as regards the EU common standard application for indivisible loads - establishing “minimum elements of the application form...”- is more balanced than immediate full harmonisation.

EMS

Line 85a

Portugal considers that the Presidency proposal to delete line 85a weakens an essential pillar: the prior assessment of road safety and infrastructure impacts for new EMS routes.

EMS involve vehicle combinations of greater operational complexity and typically greater length and mass, with a direct impact on stopping distance, manoeuvrability/swept path, and interactions at junctions, roundabouts and access points.

In the absence of a minimum prior assessment requirement, the regime becomes reactive (only addressing issues after incidents occur), which is incompatible with a preventive approach to road safety and risk management.

Therefore, Portugal does not support the deletion of the “prior assessment” requirement for new EMS routes/conditions and proposes the reinstatement of line 85a with minimum criteria (checklist) for such assessment, including at least: manoeuvrability/swept path at critical points, operational suitability at junctions and accesses, and relevant safety constraints, in line with the position submitted in April.

Line 89

Portugal considers that the deletion of the monitoring obligation, as proposed by the Presidency, reduces the ability to manage risk and adjust measures, and is inconsistent with the logic of KPIs.

In the absence of monitoring, there is no mechanism to verify real-world effects and adjust conditions, resulting in a loss of the ability to detect early increases in risk (incidents/collisions) and to calibrate mitigation measures.

Monitoring is particularly relevant when more permissive regimes and/or trial or experimental periods are introduced; otherwise, the regime lacks a regulatory “feedback loop”.

Therefore, Portugal opposes the deletion of the monitoring obligation and proposes the reinstatement of line 89, with phased and proportionate (risk-based) monitoring and a minimum core set of indicators, including at least safety (incidents/collisions), while avoiding excessive administrative burden.

Line 90

Portugal considers the Presidency proposal requiring compliance with “national conditions, including maximum weights and dimensions”, to be positive, as it allows national and local safety requirements to apply to traffic within national territory.

Line 91

Portugal considers the “simple notification” version acceptable; however, for robustness and traceability, it is recommended to align more closely with the European Parliament’s text regarding the provision of information on “how they fulfil the conditions”, in a proportionate manner and avoiding excessive administrative burden.

Lines 93 and 94

An experimental period without prior assessment and monitoring increases risk and does not produce useful evidence for regulatory decision-making; it becomes a “de facto extension” of the regime without safeguards.

Portugal considers that the retention of monitoring for trials, experimental periods and pilot projects in line 94 is coherent and recommends strengthening, in line 93, the condition that such trials, experimental periods and pilot projects should only take place following prior assessment and with operational conditions in place, ensuring risk mitigation during the experimental phase.

Portugal does not support trials, experimental periods or pilot projects taking place without:

- i) prior assessment; and
- ii) minimum monitoring.