



ACEA

European  
Automobile  
Manufacturers  
Association

# LEGAL AND POLITICAL BACKGROUND FOR HCV IN THE EU

## An ACEA Perspective

**MINI-SYMPOSIUM ON SUPER ECO-COMBIS (DUO TRAILER)**

Helsinki

**FUENSANTA MARTINEZ SANS**

Director of Transport Policy

21 January 2020

# MEMBERS

**BMW Group**



**DAIMLER**

**Ferrari**



**HONDA**  
The Power of Dreams



**GROUPE  
RENAULT**

**TOYOTA**

**VOLKSWAGEN**  
AKTIENGESELLSCHAFT



**VOLVO**

# COMMERCIAL VEHICLE MEMBERS



DAIMLER

IVECO



SCANIA

VOLVO

# KEY FIGURES ABOUT THE INDUSTRY

- **13.8 million Europeans** work in the automotive sector
- **11.4% of all manufacturing jobs** in the EU
- **€428 billion in tax** revenues (EU15 alone)
- **€84.4 billion trade** surplus for the EU
- **7% of EU GDP** generated by the auto industry
- **€57.4 billion in R&D** spending, 28% of EU total

# HIGH CAPACITY VEHICLES - TERMINOLOGY

High capacity  
vehicles:  
HCVs

High  
productivity  
vehicles

Load efficient  
vehicles

Longer and  
heavier  
vehicles: LHVs

Supertrucks

Eco-combis

Gigaliners

Longliners

Megatrucks

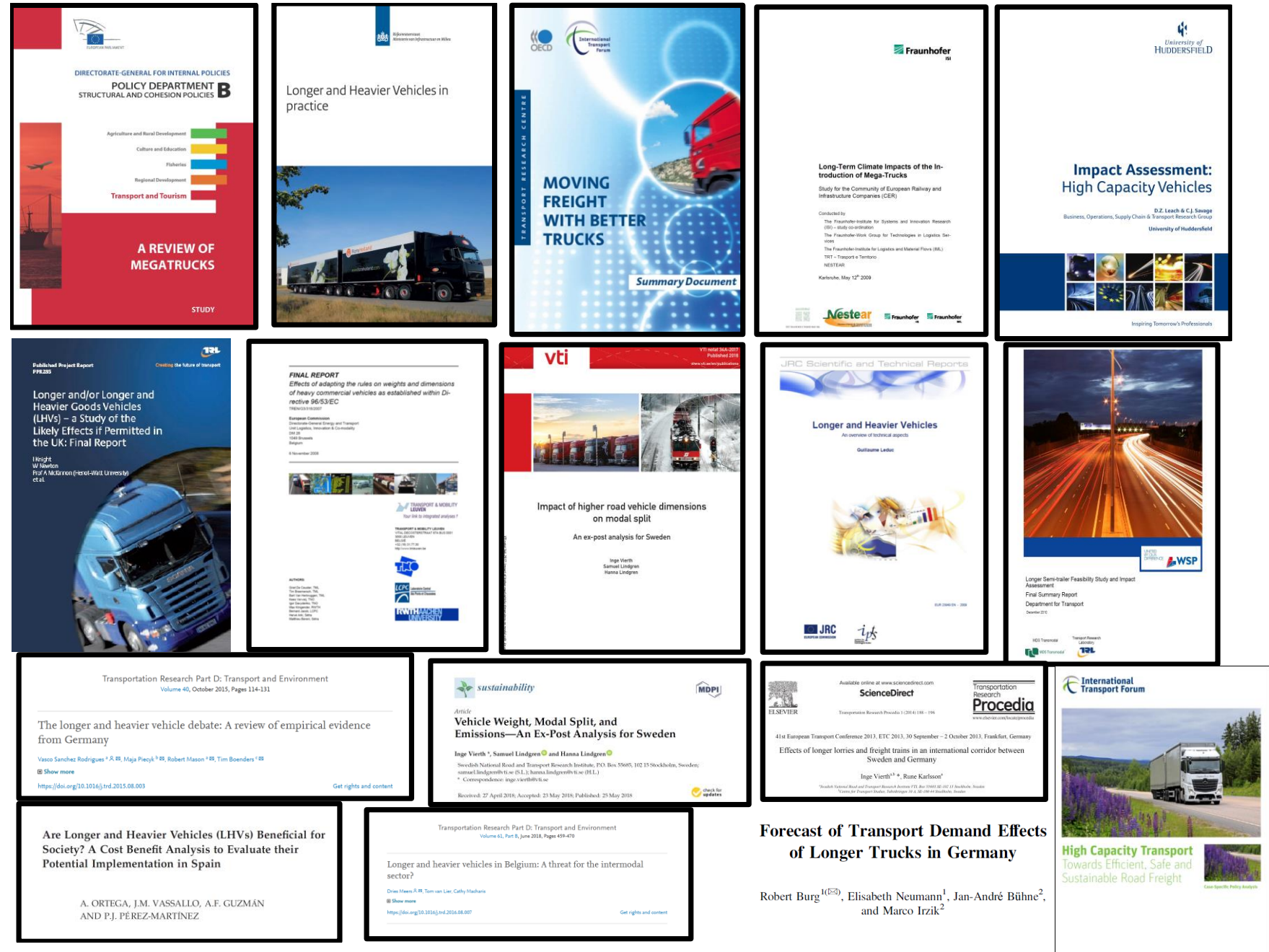
Juggernauts

Monster  
trucks

EMS

# HCT in Europe:

## A much researched subject



# ITF STUDY ON HCT – MAY 2019

 International  
Transport Forum



**High Capacity Transport**  
Towards Efficient, Safe and  
Sustainable Road Freight



Case-Specific Policy Analysis

*‘HCT means allowing longer and/or heavier vehicles than are currently permitted access to the general road network’*

*‘High Capacity Transport (HCT) has enormous potential to save money and CO<sub>2</sub> emissions.’*

# Benefits and challenges of HCT

Use of HCT in the EU

Legislation on HCT in the EU

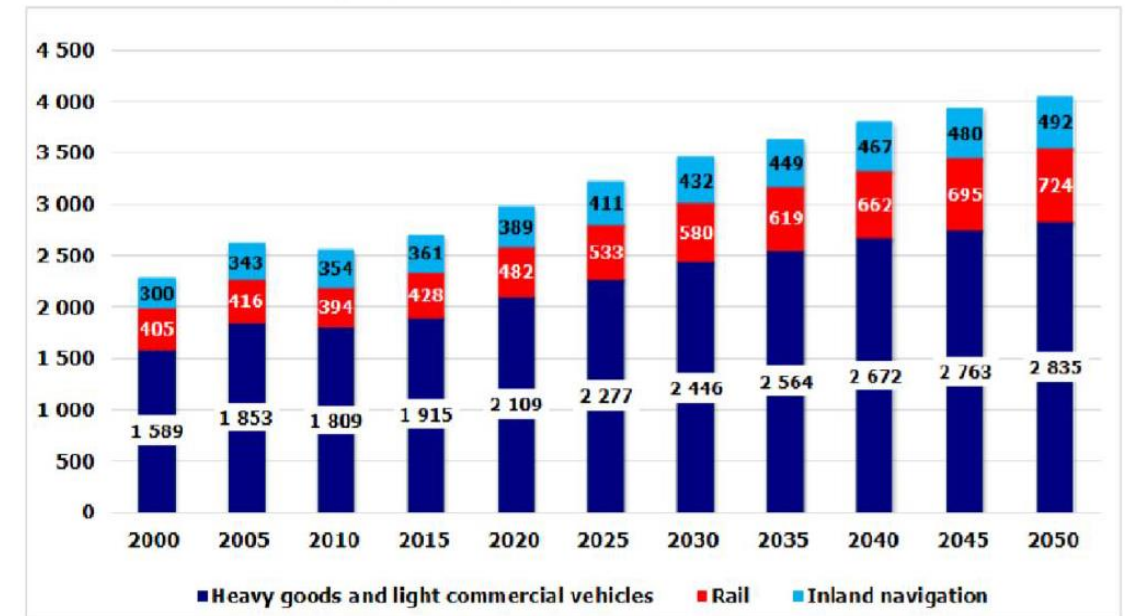
EU policy makers and EMS

What is next



- Transport demand forecast
- Climate change

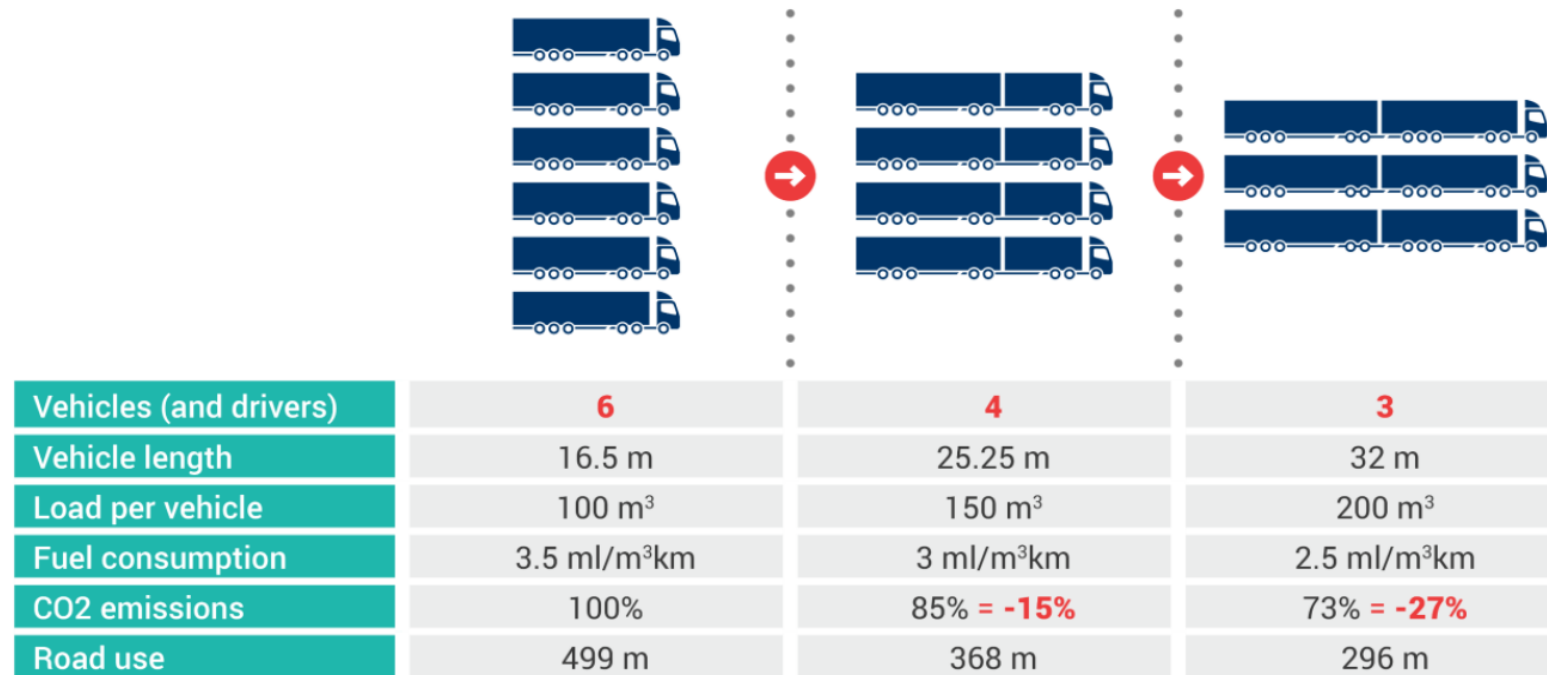
Projected freight transport demand – EU-28 reference scenario (billion t-km)



Source: EU-28 reference scenario (Capros et al, 2016)

- Decarbonisation of road freight

TRANSPORTATION OF 600 M<sup>3</sup> OF VOLUME LIMITED GOODS  
WITH THE SAME DENSITY (150KG/M<sup>3</sup>)



Source: Cider L, Larsson L, HCT DUO<sub>2</sub>-project Gothenburg-Malmö in Sweden, 2019

# BENEFITS

- **Infrastructure savings**
- **Intermodality**
- **Driver shortages**
- **Competitiveness of the EU versus other world regions**

# CHALLENGES

- **Modal shift**
- **Road safety**
- **Bridges and roads**
- **Infrastructure access, monitoring, compliance and enforcement**

Benefits and challenges of HCT

**Use of HCT in the EU**

Legislation on HCT in the EU

EU policy makers and EMS

What is next

## INTERNATIONAL INCREASED CAPACITY – TREND SINCE 2013

- 2013 Netherlands 60t/25.25m
- 2013 Finland 76t/25.25m
- 2014 Denmark 60t/25.25m
- 2014 Portugal 60t/25.25m (wooden products)
- 2014 Norway 60t/25.25m
- 2014 Argentina 75t/30,25m
- 2015 Sweden 64t/25.25m
- 2016 Spain 60t/25.25m
- 2016 Germany 40-44t/25.25m
- 2017 Brazil 74t/91t (max 60km/h)
- 2017 Portugal 60t/25.25m
- 2018 Sweden 74t/25.25m
- 2019 Finland 34.5m (HCT); 23m for truck and semitrailer
- 2019 Belgium 60t/25.25m
- 2019 Czech Republic 48t/25.25m

Benefits and challenges of HCT  
Use of HCT in the EU  
**Legislation on HCV in the EU**  
EU policy makers and EMS  
What is next

# EUROPEAN MODULAR SYSTEM

- Included in article 4.4 of Directive 96/53/EC– following Sweden and Finland joining the EU

## *Article 4*

4. Member States may allow vehicles or vehicle combinations used for goods transport which carry out certain national transport operations that do not significantly affect international competition in the transport sector to circulate in their territory with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex I.

(...)

Transport operations shall be considered not significantly to affect international competition in the transport sector if one of the conditions under (a) and (b) is fulfilled:

(a) (...)

(b) the Member State which permits transport operations to be carried out in its territory by vehicles or vehicle combinations with dimensions deviating from those laid down in Annex I also permits motor vehicles, trailers and semi-trailers which comply with the dimensions laid down in Annex I to be used in such combinations as to achieve at least the loading length authorized in that from equal conditions of competition (modular concept).



# ALL IS ABOUT MODULES

EMS<sub>1</sub> = 25,25 m

Main condition for allowing some EU members to use longer and heavier combinations is that foreign transporters should have the possibility to compete on equal terms in these Member States by the use of standard EU loading units or “modules”



EMS<sub>2</sub> or Duo Trailer



# EUROPEAN MODULAR SYSTEM

- Issue: development of different national requirements by each MS: risk of *de facto* fragmentation of internal market
- Harmonisation of EMS technical requirements going on in WP29:  
<https://wiki.unece.org/pages/viewpage.action?pageId=24477799>
- EU institutions reluctant to further promote its use – because EU transport policy based on modal shift ?

Benefits and challenges of HCT  
Use of HCT in the EU  
Legislation on HCT in the EU  
**EU policy makers and EMS**  
What is next

- Contradictory and increasingly restrictive interpretation of article 4.4 of Directive 96/53/EC over time: interpretations from commissioners Barrot, Tajani and Kallas
- 2012: VP Kallas letter to MEP Brian Simpson on Directive 96/53/EC :
  - “existing rules allow crossing one border between two adjacent Member States authorising the use of longer vehicles on their respective territories”
- In 2013, COM proposal to revise Directive 96/53/EC :

**This text, proposed in 2013  
by the Commission, was  
finally NOT accepted by  
Council**

- (7) Longer vehicles may be used in cross-border transport if the two Member States concerned already allow it and if the conditions for derogation under Article 4(3), (4) or (5) of the Directive are met. The European Commission has already provided guidance on the application of Article 4 of the Directive. The transport operations referred to in Article 4(4) do not have a significant impact on international competition if the **cross-border use** remains **limited to two Member States** where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market. The provisions of Article 4 (4) are clarified in this respect.

- **2014: the Council (Member States) did not support the COM proposal to restrict cross-border use of EMS to one border**
- **Legal *status quo* remains in Directive 2015/719, but still reference to the 2012 Kallas interpretation is often made by the COM and by rail-related stakeholders**
- **Member states – increased use of longer and heavier trucks since 2013:**
  - Netherlands, Denmark, Germany (some Länder), Spain, Belgium, Czech Republic and Portugal have modified the national legislation – allowing use of EMS.
  - Finland, Netherlands, Sweden, Spain – ongoing tests longer and heavier trucks – Duo Trailers

- **Historically – EP not promoting further use of EMS**
- **Recent votes may indicate a change :**
  - TRAN Committee – Opinion – CO<sub>2</sub> emission performance standards for HDV - CA 12 – (9 October 2018)

*Concepts. In case of the latter, when these trucks are used for high capacity transport, in accordance with Directive (EU) 2015/719<sup>1</sup>, they shall be clearly identifiable by technical criteria and the Commission should acknowledge the CO<sub>2</sub> benefit of this heavier transport.*

- EP - Resolution – Europe on the Move: an agenda for the future mobility in the EU (13 September 2018)

52. Stresses the important contribution that platooning and the use of longliners can make to increasing efficiency and saving fuel in road haulage, and therefore calls on the Commission and Member States to realise the objectives of the Declaration of Amsterdam and establish incentives for the increased use of longliners;

# HCT GAINING MOMENTUM

Deep decarbonisation of long haul road requires HCT

EU transport policy under review: *need a rethink on HCT*

Since 2013 six European countries have liberalised rules on HCT

Finland and Sweden extending weight and dimension limits

New studies completed / underway supporting of HCT (ITF, Falcon, Aeroflex)

Fresh efforts to reconcile conflicting arguments over HCT

Regulatory and technical advances (PBS and IAP) customising HCT applications

Worsening truck driver shortage: *increased pressure to improve productivity*

Important moment for HCT in EU

Benefits and challenges of HCT  
Use of HCT in the EU  
Legislation on HCT in the EU  
EU policy makers and EMS  
**What is next**



# WHAT IS NEXT

- Cross border use of EMS combinations: EU should abandon restrictive interpretations of legislation
- EU should apply harmonised EU requirements for HCVs
- Future regulations on HCT should be based on PBS for both vehicles and road infrastructure
- Use EU funded research project to address this
- Promote trials, pilot programmes and research
- Commission to set up an group of national experts from Member States to harmonise technical requirements



European  
Automobile  
Manufacturers  
Association

ACEA represents the 16 major Europe-based  
car, van, truck and bus manufacturers

**[www.acea.be](http://www.acea.be)**  
**+32 2 732 55 50**  
**[communications@acea.be](mailto:communications@acea.be)**



[twitter.com/ACEA\\_eu](https://twitter.com/ACEA_eu)



[linkedin.com/company/ACEA](https://linkedin.com/company/ACEA)



[youtube.com/ACEAeu](https://youtube.com/ACEAeu)