

**EU Regulations concerning weighing road vehicles
and the implementation of the International Weight Certificate**

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Directive 96/53 of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic

The differences between standards in force in the EU Member States with regard to the weights and dimensions of commercial road vehicles have been recognized by the European Commission as constituting an obstacle to traffic between Member States and - as such - having an adverse effect on the conditions of free competition in the Single Market.

Therefore common standards for the weights, dimensions and certain other characteristics of certain vehicles have been established with Directive 96/53, which allows for use of these vehicles to a greater extent in cross-border traffic between the EU Member States.

- In line with article 3 of Directive 96/53: "*MS may not prohibit or reject the use in its territory in international traffic, of vehicles registered or put into circulation in any other Member State for reasons relating to their weights and dimensions, ... provided that such vehicles comply with the limit values specified in Annex I of the Directive.*"
- Article 4 (3) reads that "*Vehicles or vehicle combinations which exceed the maximum dimensions may only be allowed to circulate on the basis of special permits issued without discrimination by the competent authorities, or on the basis of similar non-discriminatory arrangements agreed on a case-by-case basis with those authorities, where these vehicles or vehicle combinations carry or are intended to carry indivisible loads.*"

These standards seek to create a balance between the rational and economical use of the said commercial road vehicles, the requirements of infrastructure maintenance and those of road safety.

In order to achieve the policy objectives set out in the Directive, proper enforcement and compliance with its provisions is needed.

The enforcement of these maximum authorised vehicles characteristics is ensured via the provisions of article 6 of the Directive, which requires one of the following proofs of compliance with the authorised limits, which shall be recognised by the competent authorities of the MS:

(a) combination of the following two plates:

- 'manufacturer's plate' established and attached in accordance with Directive 76/114/EEC (8),

- plate relating to dimensions, in accordance with Annex III, established and attached in accordance with Directive 76/114/EEC;

(b) single plate established and attached in accordance with Directive 76/114/EEC and containing the information on the two plates referred to in (a);

(c) single document issued by the competent authorities of the Member State in which the vehicle is registered or put into circulation. Such document shall bear the same headings and information as the plates referred to in (a). It shall be kept in a place easily accessible for inspection and shall be adequately protected.

Vehicles carrying proof of compliance may nevertheless be subject to:

- random checks with respect to common standards on **weights**,
- detailed checks as regards common standards on **dimensions**, but only in the cases when there is a suspicion of non-compliance with the Directive (76/114/EEC).

1982 International Convention on Harmonisation of Frontier Controls of Goods entered into force for the contracting parties

The new Annex 8 (on road transport) to the 1982 International Convention on Harmonisation of Frontier Controls of Goods entered into force for the contracting parties on 20 May 2008.

By the Council (of Ministers from all EU Member States) Decision 2009/161/EC of 25 September 2008 the Council approved - on behalf of the Community - the new Annex 8 to the International Convention on the Harmonisation of Frontier Controls of Goods.

By the virtue of this Decision the EU Member States accepted the International Vehicle Weight Certificate whereas the weighing for the purposes of issuing the Certificate shall take place in the country of origin of international transport operations. Thus, repetitive weighing procedures at border crossings within the EU, apart from random checks or in the case of suspected irregularities, shall be discontinued.

It was acknowledged and accepted by the Council that the effective implementation of the new Annex 8 by the Contracting Parties will be monitored by the United Nations Economic Commission for Europe who will produce a report every two years.