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UNECE Working Party on Intermodal Transport and Logistics

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Item 8 (a) of the provisional agenda

MONITORING OF WEIGHTS AND DIMENSIONS OF LOADING UNITS
IN INTERMODAL TRANSPORT

Transport of 45 ft long ISO containers on the European road network

Note by the secretariat

I. BACKGROUND AND MANDATE

1. In March 2005, the Joint ECMT/UNECE Working Party on Intermodal Transport and Logistics adopted an opinion on the proposal of the International Organization for Standardization (ISO) to standardize 45 ft (13,716 mm) long containers (TRANS/WP.24/107, paragraphs 20-22 and annex). This joint opinion stated in its substantive paragraphs the following (TRANS/WP.24/107, annex):

- “(1) It is the prerogative of the container operating and handling industries to use and standardize via ISO whatever loading unit (container, swap-body) they view as appropriate and in line with their commercial needs for efficient port-to-port traffic.

- (2) The arguments put forward in ISO document ISO/TC/104/SC.1 N 405¹ proposing to amend the existing ISO standards to include 45 ft long containers refer exclusively to maritime port-to-port transport operations and not to intermodal land transport services by road, rail, inland waterways and short sea shipping.
- (3) Within the European Union, Council Directive 96/53 will exclude, at the latest by 31 December 2006,² road transport of the proposed 45 ft (13,716 mm) long ISO container (45 ft long units may be carried if their front corners are rounded as of the 13,600 mm length distance).³ The currently proposed new Directive of the European Parliament and the European Council on intermodal loading units containing also proposals for a standard European Intermodal Loading Unit (EILU) does not modify the external maximum permissible dimensions for road vehicles stipulated in Council Directive 96/53.
- (4) In most other European countries, the proposed 45 ft long ISO container is also not in line with existing road traffic regulations.⁴
- (5) There is no indication that Governments would allow for longer vehicle dimensions on the European road network to accommodate the proposed 45 ft long ISO container.
- (6) The proposed 45 ft long ISO container could thus not be transported freely among different land transport modes in Europe, impeding efficient port hinterland transport. It would also not contribute to European policy objectives of promoting efficient intermodal transport systems at a level playing field and would lead to supplementary transshipment costs in case final road haulage is necessary (due to additional loading and unloading requirements of containers in terminals in order to comply with Council Directive 96/53).
- (7) The proposed 45 ft long ISO container, due to its restricted internal width not allowing stowage of two pallets side-by side (i.e. 2 x 1,200 mm plus the necessary margin for manoeuvre), does not seem to be of commercial interest for shippers and transport operators for intra-European land transport, including short sea shipping.
- (8) The concerns expressed in UNECE ITC resolution No. 241 of 5 February 1993⁵ are still valid today and also applicable to the new proposal for a 45 ft long ISO

¹ Reproduced in document TRANS/WP.24/2004/4.

² Article 4(6) of European Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating in the European Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.09.1996, p. 59, as amended by Directive 2002/7/EC, OJ L 067, 09.03.2002, p. 47).

³ Annex I, article 4(4) of Directive 96/53/EC: "The distance measured horizontally between the axis of the fifth-wheel king pin and any point at the front of the semi-trailer must not exceed 2,04 m").

⁴ Only 14 out of the 55 UNECE member States would seem to allow dimensions for national road transport that are compatible with the length of the proposed 45 ft long ISO container (survey undertaken by the International Road Transport Union (IRU)).

⁵ TRANS/WP.24/2004/4.

container, particularly as long as their impact, particularly with regard to road traffic safety and road infrastructure limitations, has not been evaluated.

- (9) The UNECE secretariat is requested to inform ISO TC 104 of this opinion well before its twenty-second plenary session (London, 12-13 May 2005).”

2. In October 2005, the Joint ECMT/UNECE Working Party noted that the proposal to standardize 45 ft long maritime containers has been adopted by ISO for issuance as an International Standard. The Working Party regretted this decision and reiterated that the proposed ISO 45’ container did not contribute to intermodal transportation and to global standardization and responded only to certain port-to-port maritime and regional interests. For transport in most of the 55 countries of the UNECE region, the newly proposed container is inappropriate for the transport of (ISO) palletized cargo, cannot be shipped efficiently by rail and inland waterways and, as of 1 January 2007, will be banned from road transport in the 25 countries of the European Union - in line with EU Council Directive 96/53.

3. The Working Party recalled that the European Commission had no intention to modify Directive 96/53 in this respect in the foreseeable future. Furthermore, the Working Party requested the secretariat to continue its monitoring of weights and dimensions of intermodal transport units (ITU) in accordance with ITC resolution No. 241 of 5 February 1993 and to report on any new developments in this field (TRANS/WP.24/109, paragraphs 38-41).

II. 45 FT CONTAINERS IN CIRCULATION IN THE UNECE REGION

4. The total number of 45 ft ISO containers circulating globally is in the order of 440,000 TEU.⁶ As the total global fleet of containers is approximately 20 million TEU, 45 ft ISO containers constitute only around 2 per cent of the total container fleet. It is estimated that around 80 per cent of these 45 ft ISO containers are connected with transport to and from the USA, primarily with the Far East and that only 20 per cent, i.e. 88,000 units are moved to and from European ports, mainly on deck of container vessels.

5. European short-sea operators also operate a small, but growing fleet of pallet-wide 45 ft non-ISO containers mainly in northern European waters. Their number is estimated at around 30,000 to 35,000 units.

III. CARRIAGE OF 45 FT CONTAINERS ON ROADS IN EU MEMBER STATES

6. European Community Directive 96/53/EC on weights and dimensions in road transport sets out the maximum allowable vehicle and loading dimensions in national and international road transport within the EU member States. Owing to the calculation methodology in this Directive, 45 ft containers are 9 cm (for ISO containers) and 12 cm (for pallet wide containers) longer than the maximum allowable length in the Directive.

⁶ TEU = Twenty foot equivalent unit (equivalent to a ISO 20 ft container).

7. Article 4(6) of the Directive allows, until 31.12.2006, in national transport operations, for vehicles registered or put into circulation before the implementation of the Directive, dimensions that exceed those in the Directive and made it possible for 45 ft ISO containers as well as for 45 ft pallet wide containers to move on the EU road network. As of 1 January 2007 this will not be possible any longer under article 4(6) of the Directive.

8. In other transport modes (short sea shipping, inland water transport and rail) 45 ft ISO and pallet wide containers can continue circulating freely after 31.12.2006 within EU member States.

9. Apparently in order to accommodate the concerns of some stakeholders, on 27 November 2006, the European Commission issued a staff working document considering options that would allow for the continuous carriage of 45 ft ISO and pallet wide containers on the road network of EU member States after 31.12.2006:⁷

Option 1: Amendment of EC Directive 96/53/EC to allow for the transport of 45 ft ISO and pallet wide containers. This option was dismissed for the time being as it had become clear that the required legislative procedure could not be completed before the end of the temporary derogation for 45 ft containers ending on 31.12.2006.

Option 2: Application of articles 4(3) and 4(4) of Directive 96/53/EC allowing EU member States to permit longer vehicles or vehicle combinations under the concept of “indivisible loads” and under a provision called “modular concept”. In line with the interpretation of articles 4(3) and 4(4) of the Directive presented by the European Commission, the continued transport of 45 ft ISO and pallet wide containers would be permissible in national transport, provided that EU member States concerned so decided individually and put in place the necessary administrative arrangements on a non-discriminatory basis (article 4(3)) and inform the European Commission of the measures taken (article 4(4)).

10. The European Commission is of the view that this interpretation of articles 4(3) and 4(4) of Directive 96/53/EC would ensure that the rules on the dimensions of vehicles and loading units would match the needs of advanced logistics and sustainable mobility in Europe.

11. As a consequence of this interpretation, to be enacted individually by each of the EU member States, 45 ft ISO and pallet wide containers would be allowed to circulate only in national road transport operations within the EU member States. Other modes of transport, i.e. short sea shipping, inland waterway transport or rail could be used over longer distances for transport operations between EU member States.

⁷ European Commission staff working document on the continuous carriage of 45' containers in national road transport (Brussels, 27.11.2006) (SEC (2006)1581).

IV. IMPACT ON ROAD TRANSPORT IN UNECE MEMBER STATES

12. Recalling the considerations and decisions taken on this issue at its previous sessions,⁸ the Working Party may wish to:

- (a) be informed about the reaction and follow-up decisions given to this interpretation of the European Commission by other EU organs and EU member States;
- (b) consider the consequences of the possible application of this interpretation by EU member States on road transport of 45 ft ISO and pallet wide containers in non-EU member States in the UNECE region.

⁸ TRANS/WP.24/99, para. 10; TRANS/WP.24/2003/4; TRANS/WP.24/2003/3; TRANS/WP.24/2003/2; TRANS/WP.24/101, paras. 20-23; TRANS/WP.24/103, paras. 21-23; TRANS/WP.24/2004/4; Informal document No.4 (2004); TRANS/WP.24/105, paras. 20 and 21); TRANS/WP.24/2005/4; TRANS/WP.24/107, paras. 20-22 and annex; TRANS/WP.24/2005/8; TRANS/WP.24/109, paras. 38-41.