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IRU position on TRAFFIC BANS FOR HEAVY GOODS VEHICLES IN THE EU

*unanimously adopted by the IRU Goods Transport Liaison
Committee (CLTM) in Brussels on 3 March 2011.*

IRU Position on traffic bans for heavy goods vehicles in the EU.

I. ANALYSIS

The free movement of goods is one of the four fundamental principles of the Treaty on the Functioning of the European Union (Lisbon Treaty). However, road traffic management is presently a competence of the Member States, and sometimes even regional or local authorities, which allows them to introduce rules restricting the movement of heavy goods vehicle traffic within their own borders, provided that these rules do not discriminate on the basis of the nationality of the haulier. The absence of EU-wide coordination of traffic bans has led to questions about the compatibility of these two conflicting approaches.

In 1998, the European Commission (EC) presented a proposal for a Directive laying down a framework for a limited harmonisation of traffic bans for heavy goods vehicles active in international transport on the Trans-European Network (TENs). A new version of the proposal was presented in 2000, and after 1st reading in the European Parliament (EP), was withdrawn by the EC in 2005 due to a lack of interest from the Member States.

In the summer of 2009, the EC invited a consortium, lead by the Dutch consultancy NEA, to undertake a study on "Driving Restrictions for Heavy Goods Vehicles in the European Union". This study was published in December 2010. The EC could use the results of the study to prepare a new legislative proposal on traffic bans for heavy goods vehicles.

A number of major problems generated by traffic bans and restrictions for heavy goods vehicles are listed below. These traffic bans:

- **hamper drivers' ability to meet social rules** as they are obliged to spend weekly rest periods en route and not at their home base, which has a negative social impact on truck drivers.
- **increase problems caused by a lack of (secure) parking areas for trucks as** in most countries, drivers and operators often face insurmountable problems finding (secure) parking places in over-crowded parking areas hours before the traffic ban period starts. Indeed, until recently, Member States have almost completely neglected the fact that introducing more and more traffic bans automatically leads to growing demand for safe and secure parking areas. This situation is unacceptable and increased investment in the creation of more (secure) parking areas for trucks and

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making the information on their location available to the IRU could reduce these problems.

- **increase congestion, fuel consumption, CO₂ and other emissions and the risk of more accidents** during peak hours from Monday to Friday as they shorten the time of infrastructure availability for road freight transport operations and, in the case of night traffic bans, make infrastructure unavailable when there is the least traffic.
- **impact negatively on the EU's competitiveness** in the global economy and increase the direct and indirect costs of road freight transport in Europe as compared to other continents.
- **disadvantage road freight transport operations to and from peripheral countries** and regions and could contribute to slowing down the economic development of such regions.

Currently, traffic bans for heavy goods vehicles differ greatly in the Member States which makes it difficult to plan road freight transport operations in advance. European rules limiting, where feasible, the introduction of new traffic bans and restrictions and laying down guidelines for rules on traffic restrictions and bans are likely to set limits on the presently uncoordinated application of traffic bans for heavy goods vehicles by Member States, regional and local authorities and will lead to more efficient transport.

Member States also maintain different traffic ban exemptions for certain vehicle categories which are, in addition, interpreted in different ways. This leads to confusion and often to unnecessary and unjustified penalties. The European road freight transport industry needs clear and harmonised definitions and interpretations of the exemptions in all Member States and regions of the European Union.

Heavy goods vehicles traffic bans which are communicated well in advance to the road freight transport sector can be taken into account more easily than bans which materialise on short notice. Experience has shown that late and incomplete information has led to operators being penalised for infringing traffic bans which they were unaware of, which is unacceptable.

II. IRU POSITION

The IRU and its Member Associations aim for more efficient transport, and therefore call on the European Institutions to prepare a new proposal to limit, where feasible, the introduction of new traffic bans and restrictions and to prepare guidelines for rules on traffic restrictions and bans - in a phased approach starting with the TENs road network and later extending where feasible to other parts of the network - as this will:

- Facilitate drivers' ability to meet social rules;
- Reduce problems for driving having to find (secure) truck parking places to comply with a traffic ban or restriction;
- Reduce congestion, fuel consumption, CO₂ and other emissions and the risk of accidents;
- Improve EU competitiveness;
- Facilitate access of the peripheral countries and regions.

This new EU proposal should also contain provisions:

- Forcing Member States, to invest in more (secure) parking areas for trucks and in the provision of location and qualitative information to truck parking information systems such as IRU/ITF TRANSPark;

- Harmonising definitions and interpretations of the exemptions for heavy goods vehicles in all Member States and regions of the European Union and general exemptions of certain types of road freight transport operations, such as combined, refrigerated and live animal transports;
 - Obliging Member States to provide, well in advance, clear, basic information on traffic bans for heavy goods vehicles to the road freight transport industry and the European Commission;
 - Acknowledging the leading role of the organisations representing the road freight transport industry in passing on information on traffic bans to transport operators.
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