



European Commission proposed regulation on vehicle and trailer height restriction

The Commission proposal in detail

The European Commission is drawing up proposals for a regulation to introduce, under its system of Whole Vehicle Type Approval, a four metre height limit on new trailers purchased within the EU. Although there is a limit of four metres on trailers used in international operations, the current directive, 97/27/EC, provides Member States with the freedom to determine the height of goods vehicles operating solely in their own territory. A number of Member States, including France, Sweden and the UK, have chosen not to define a maximum height. In the UK, manufacturers currently produce vehicles and trailers up to 4.95 metres. If the draft proposal is implemented and the existing provision for Member States' domestic operations is not maintained the UK's current semi-trailer fleet would gradually be phased out and this country denied the economic and environmental benefits they offer.

The latest draft proposal from the Commission is that a height of up to 4.95 metres would be applicable to N2 (rigid HGVs with a maximum authorised mass exceeding 3.5 tonnes gvw, but not over 12 tonnes gvw), N3 (rigid HGVs with a maximum authorised mass exceeding 12 tonnes gvw) and double-deck trailers. However, the Commission still proposes to introduce a four metre height limit for all other trailers, and as over 80 per cent of lorry trailers in the UK are single-deck over four metres, this will be unacceptable to the UK industry. Both double-deck and semi-trailers are vital to the UK economy.

Why is the proposed regulation being drafted?

Implementing measures under the General Safety Regulation 661/2009 require most type approval directives to be replaced by the corresponding UN ECE regulations. For masses and dimensions there are no equivalent ECE regulations and therefore an implementing regulation is required.

When will the requirements of the proposed type approval regulation become mandatory?

There is provision in the draft regulation for new vehicles and trailers to continue to be type approved under the existing regime (which permits 'oversize' vehicles and trailers) up until November 2014. From this date the requirements of the new regulation, including limits on maximum height will be mandatory for new type approvals, and without type approval, vehicles and trailers will not be permitted to be registered or enter into service.

Will existing vehicles and trailers already in service be affected by this regulation?

No, this regulation concerns new vehicle and trailer construction requirements for future type approval. Legislation concerning the maximum permitted dimensions of vehicles which can operate nationally and internationally is contained in a separate directive, so existing vehicles and trailers can continue to be operated.

Double-deck

The FSB welcomes the Commission's recognition of the potential for double-deck trailers. Double-deck trailers account for around 3.5 per cent of the UK's articulated vehicle traffic and have a height up to 4.95 metres¹. They are a common sight on the roads of the UK; in fact they are almost unique to this country. Few, if any, countries have road infrastructures that can accommodate these vehicles. This has enabled many businesses in the UK to double-deck their lorries, gaining extra cubic capacity vertically. Companies transporting lower density products can almost double the amount of freight they move in a single vehicle while staying within the legal weight limit.

¹ UK Government Department for Transport



This load consolidation dramatically cuts lorry miles, fuel consumption and exhaust emissions per tonne of product delivered. Both economic and environmental costs are substantially reduced and the higher capital costs of the double-deck trailer quite quickly recouped. All in all, the double-deck lorry has been a great logistical success for this country². So strong is the business case, in economic and environmental terms, for operating double-deck trailers that they are being used much more extensively across UK supply chains. Between 2004 and 2008 there was a 57 per cent increase in the amount of freight movement in double-deck trailers³.

Single-deck high-cube semi-trailers

Although the proposals in respect of double-deck semitrailers are helpful, these vehicles form only a small proportion of the UK's fleet. Up to 80 per cent of the UK's semi-trailer fleet has a height of 4.25 metres or greater⁴. The vast majority of these trailers are single-deck, high cube. If companies using these trailers are forced to replace them with four metre high trailers this would result in an increase of anything between four per cent and 16 per cent in lorry kilometres⁵. At best, it would mean lorries having to travel an additional 400 million kilometres, resulting in an annual increase of 300,000 tonnes in carbon emissions⁶. In the worst case, it would result in lorries having to travel an additional 1,800 million kilometres a year, resulting in an annual increase of 1,500,000 tonnes in carbon emissions⁷.

Wider implications

These proposals as they currently stand would have a wider impact beyond the phasing out of existing trailers. Tractor units would have to meet lower fifth wheel heights, causing a loss in asset value⁸. There would be a fall in trailer demand because of the need to refurbish old trailers to avoid new restrictions on height, prejudicing economic carrying of current module sizes⁹. Warehouse configurations would need to be changed at huge cost to cope with revised docking heights and modules¹⁰. Some manufactured products would have to be redesigned or discontinued¹¹. Transport costs in general would increase by more than the proportional reduction in height, i.e. more than six per cent, which when combined with fuel and equipment cost escalation would have serious implications for the UK economy¹².

Impact on small businesses

There are 100,000 haulage companies in the UK, the vast majority of which are SME's¹³. The increase in cost would fall hardest on the SME sector, which would be obliged to increase the size of its fleet in order to carry the same volume of goods as before – even at the lower range of dimensions operating in the UK, a limit of four meters would result in a reduction in cubic capacity of around 4.75 per cent¹⁴. This would result in the smallest operators having to not only invest in extra trailers, but also in additional tractor units and drivers in order to maintain their current business levels; the extra costs these small businesses would have to incur would mean that they would be no longer able to compete with the larger operators who would have greater flexibility.

Conclusion

² Prof. Alan McKinnon, Logistics Research Centre, Heriot-Watt University 'Britain without Double-deck Lorries: An Assessment of the Effects on Traffic Levels, Road Haulage Costs, Fuel Consumption and CO2 Emissions' (October 2010)

³ UK Government Department for Transport's Continuing Survey of Road Goods Transport

⁴ UK Government Department for Transport

⁵ Ibid

⁶ Ibid

⁷ Ibid

⁸ Ibid

⁹ Ibid

¹⁰ Ibid

¹¹ Ibid

¹² Ibid

¹³ UK Government Department for Business, Innovation and Skills

¹⁴ UK Government Department for Transport



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This proposal as it currently stands would be a hammer blow to the haulage industry's attempts to become more environmentally friendly. In recent years a huge amount of effort and cost has been invested in developing more streamline lorry trailers¹⁵. Many of these trailers, such as the 'Treadrop' are above four meters in height (their flowing curves take them over). A four meter height limit would prevent the development of these trailer types.

The UK haulage industry is going through a very difficult period, not only as a result of the recent recession, but also as a result of higher fuel prices and a more difficult regulatory environment. These problems disproportionately affect smaller haulage companies. If implemented in the UK, this proposed regulation will serve only to make an already difficult situation worse. It may even force some people to leave the industry. According to research produced by UHY Hacker Young, haulage companies are three times more likely than the average UK business to go bust. Their research shows that 17.3 per cent of courier and haulage companies go out of business every year.

There is no logic in the Commission potentially permitting a height of up to 4.95 metres for N2, N3 and double-deck trailers but restricting non double-deck trailers to four metres. The internal construction of trailers has no relevance to the external dimensions, and the draft Commission proposal would permit the construction of single-deck N2, N3 vehicles to 4.95 metres - so why not single-deck trailers?

The FSB would like to see the Commission maintaining the current derogation which permits Member States to approve 'oversize' vehicles for domestic transport operations.

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¹⁵ Ibid