



PRESS RELEASE

Brussels, 20 July 2012 – The EMS Forum welcomes clarity on the cross-border use of EMS and strongly supports the European Commission in its respect of the original intentions of the legislator.

The EMS Forum, bringing together industry stakeholders promoting the use of European Modular Concept (EMS) vehicle combinations in the EU, is surprised that the President of the European Parliament Martin Schulz has written to European Commission President José Manuel Barroso asking the European Commission to revoke its interpretation of Directive 96/53 on weights and dimensions of commercial vehicles. On 13 June 2012, the Commission confirmed that cross-border use of and trials with EMS vehicle combinations between two consenting Member States, already allowing national use or trials, is in accordance with Directive 96/53.

This type of interpretation by the Commission concerning a legal provision, which is not clear from the EU legislation, is not exceptional and is in line with the spirit of subsidiarity. The Commission did not create new legislation but is simply clarifying existing EU rules to ensure harmonised interpretation and implementation across the EU and legal certainty for Member States and business alike. By doing so the Commission acts in its role of the guardian of the EU Treaties.

Considering the different interpretations given to Article 4(3), (4) and (5) of Directive 96/53, including by three subsequent Transport Commissioners, several questions were raised relating to the real intentions of the legislator back in 1996 when the Directive was adopted. Therefore, it is welcomed that the Commission now asked its legal service for an opinion to put an end to the discussion on this matter.

With the letter of 13 June 2012, Vice-President Siim Kallas has first and foremost created nothing more than the much needed clarity on this issue without changing the content of Directive 96/53 on weights and dimensions.

The EMS Forum takes note, therefore, of the conditions to operate cross-border trials with EMS, which would help at-source greening road transport and steering combined transport and further support an efficient EU transport network involving all modes of transport, including road, and feels that Members of the European Parliament should support such development.

Visit the website of the EMS Forum at www.modularsystem.eu

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