



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Message 201

Communication from the Commission - TRIS/(2024) 0412

Directive (EU) 2015/1535

Notification: 2023/0579/CZ

Forwarding of the response of the Member State notifying a draft (Czechia) to comments (5.2) of Austria.

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1. MSG 201 IND 2023 0579 CZ EN 16-01-2024 16-02-2024 CZ ANSWER 16-01-2024

2. Czechia

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4. 2023/0579/CZ - I10 - Metrology

5.

6. Comment 1:

Section 3.1 outlines the essential characteristics of scales, which include a printing mechanism and equipment for optical identification of vehicles. It should be noted that in some countries vehicle identification may be prohibited for reasons of personal data protection (see also Sections 3.8.1 and 3.8.2).

Answer to comment 1:

Thank you for your information on the legal aspects of some EU Member States. Nevertheless, this is not currently the situation of the Czech Republic. The vehicle identification method in question is one of the standard forms of identification of vehicles used to commit traffic infractions, such as vehicles that are overloaded, causing significant damage to the road infrastructure, or exceeding the speed limit. The safety of road traffic and its participants, along with the protection of state property, are among the highest priorities in the Czech Republic.

However, we are also aware that, for some EU countries, technical solutions for weigh-in-motion scales type approved in the Czech Republic may not be compatible with their legislation for the above reasons.

Comment 2:

Section 3.10.2 specifies automatic temperature recognition, which must be performed by scale components and block the scales from performing measurements outside the permissible temperature range. This requirement is not set out in international recommendations.

Answer to comment 2:

The use of weigh-in-motion scales in the Czech Republic is allowed for the imposition of sanctions, not only for the so-called pre-selection of vehicles for diversion from traffic to weighing zones, where they are most often weighed using a



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low-speed weighing method with lower measurement uncertainty. It is therefore necessary to ensure, in the case of weigh-in-motion, that the weighing of vehicles takes place correctly (with the required precision) in line with the requirements laid down in the legally binding regulation for their use. Article 2.1.1 of the regulation lays down the minimum operating temperature range the load transducers used must withstand while maintaining the required metrological characteristics, between -20 °C to + 60 °C. In this range (or within the range specified by the manufacturer if it specifies a greater range), compliance with the requirements of the regulation at the time of approval of the instrument shall be demonstrated. This range of working temperatures must then be specified on the scales. The effect of temperature on the measuring instrument's indication outside this temperature interval is not tested (not demonstrated and documented) during the type-approval process and therefore, under such conditions, weigh-in-motion cannot be used for the imposition of sanctions. We take note of the comment that seems to be directed towards the possibility of achieving the same target effect, i.e. avoiding the use of weighing results obtained under incorrect conditions (outside the operating temperature range) even without the need to block the scales from weighing.

In any case, thank you very much for the comments and suggestions, which we will continue to work with.

European Commission
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