

BACKGROUND INFORMATION

THE LEGAL BASIS

§ 22 Section 1, German Road Traffic Code (StVO)

The load, including load securing equipment and loading devices, must be stowed and secured in such a way that even in the event of full braking or sudden evasive movements, they do not slip, tip over, roll back and forth, fall or cause unnecessary noise. Generally accepted technical rules and regulations must be observed.

§ 23 German Road Traffic Code (StVO)

The driver is responsible for ensuring that his visibility is not impaired by the [...] load, equipment or condition of the vehicle. He must ensure that the vehicle, tractor unit, trailer and the load [...] comply with the regulations and that the road safety of the vehicle is not impaired by the load [...].

§ 31 Section 2, German Vehicle Licensing Regulations (StVZO)

The vehicle owner may not order or permit the vehicle to be put into service if he knows or is deemed to know that [...] the load [...] does not comply with the regulations, or that the road safety of the vehicle is compromised as a result of the load or the occupants. An entrepreneur is therefore already in violation of vehicle licensing regulations (StVZO) if he fails to use the necessary load securing equipment on his vehicle.

§ 412 Section 1, German Commercial Code (HGB)

Unless the circumstances or accepted road traffic standards dictate otherwise, the forwarder is responsible for loading, stowing and securing (loading) the goods in a condition making them safe for transport and unloading them. The carrier is responsible for ensuring that the goods are loaded safely. (??)

Civil Law HGB

Forwarder

In acc. with § 412 German Commercial Code (HGB), the forwarder is responsible for load securing.

Carrier

In acc. with § 412 German Commercial Code (HGB), the carrier is responsible for the safe, roadworthy loading of the cargo.

Public Law

Loader, driver

In acc. with § 22 German Road Traffic Code (StVO), the loader and the driver are legally obliged to secure the load.

Vehicle owner

In acc. with § 31 German Vehicle Licensing Regulations (StVZO) is legally obliged to equip the vehicle properly.

Please follow the country-specific laws or regulations for load securing.

REGUPOL BSW GmbH

Am Hilgenacker 24
57319 Bad Berleburg
Germany

Tel. +49 2751 803-138
anti-slip-mat@regupoleu
www.regupol-load-securing.com

REG ASM LB EN 092019
Online september 2019