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New Regulation on Unloading Grace Periods

With the entry into force of Decree-Law of May 21, 2025, No. 73 (converted into Law No. 105 of July 19, 2025), significant amendments have been made to the legislation concerning vehicle waiting times for loading and unloading operations.

Below are the main updates that led to the current version of Art. 6-bis of Legislative Decree 286/2005 ([see Official Gazette link](#)).

Reduction of the Grace Period

The grace period has been reduced from 2 hours to 90 minutes (per operation). This period is calculated from the carrier's arrival at the loading or unloading site.

Waiting times also include periods when the carrier is idle due to inactivity of the consignor, loader, or consignee of the goods.

Extension of Parties Required to Provide Information to the Carrier

The decree expands the parties obliged to provide the carrier with information regarding the location, timing, and access procedures for loading and unloading points.

Now, the consignor, the consignee of the goods, or any other actor in the transport chain (as per Art. 2 of Legislative Decree 286/2005) are required to provide such details.

Proof of Carrier's Arrival Time

The carrier may now prove arrival time at the loading/unloading site using:

- the vehicle's satellite geolocation system;
- the second-generation smart tachograph.

€100 Compensation for Each Hour of Delay

The legislator has increased the compensation amount for exceeding the grace period: €100.00 for each hour or fraction of an hour of delay.

This amount will be adjusted annually based on the ISTAT FOI index.

Compensation Obligation Also for the Loader

The loader – if different from the consignor – is now jointly liable for paying compensation. The right of recourse among jointly liable parties against the actual responsible party remains unaffected.

Compensation is not due if the grace period overrun is attributable to the carrier.

Statute of Limitations and Judicial Protection

The right to compensation is subject to a one-year statute of limitations, under Art. 2951 of the Civil Code, as provided for rights arising from the transport contract.

The carrier may obtain payment by injunction order (decreto ingiuntivo) by submitting the electronic invoice and receipts extracted from the Exchange System (SDI).

Exceeding the Actual Loading/Unloading Execution Times

Compensation is also due if the actual execution times for loading/unloading exceed those set in the transport contract, provided this is evidenced by the goods' accompanying documentation or any other document signed by the loader, consignor, or carrier.

Driver's Presence During Loading

The driver is granted the right to attend loading operations, in particular to verify the correct stowage of the goods.

For any questions or clarifications, please do not hesitate to contact us.

The Prisma Team