Charging of heavy goods vehicles for the use of infrastructure: differentiated charging

2008/0147(COD) - 07/06/2011 - Text adopted by Parliament, 2nd reading

The European Parliament adopted by 505 votes to 141, with 17 abstentions, a legislative resolution on the Council position at first reading with a view to the adoption of a directive of the European Parliament and of the Council amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (Eurovignette).

It adopted its position at second reading, under the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between the European Parliament and the Council. They amend the Council position as follows:

Tolls and user charges: according to the compromise text, a Member State may choose to apply tolls and /or user charges only to vehicles having a maximum permissible laden weight of not less than 12 tonnes if it considers that an extension to vehicles of less than 12 tonnes would, **amongst others**:

(a) create significant adverse effects on the free flow of traffic, the environment, noise levels, congestion, health, or road safety due to traffic diversion;

(b) involve administrative costs of more than 30 % of the additional revenue which would have been generated by that extension.

Member States choosing to apply tolls and/or user charges only to vehicles having a maximum permissible laden weight of not less than 12 tonnes shall **inform the Commission** of their decision and on the reasons therefore.

Infrastructure charge levied on specific road sections: the text provides that in exceptional cases concerning infrastructure in mountainous regions, and after informing the Commission, a mark-up may be added to the infrastructure charge levied on specific road sections which are subject to acute congestion, or the use of which by vehicles is the cause of significant environmental damage, under certain conditions.

The text also stipulates that the amount of the mark-up shall be deducted from the amount of the external-cost charge, **except for vehicles of EURO emission classes 0, I and II from the date of the entry into force of the Directive, and III from 2015 onwards**. All these revenues generated by the simultaneous application of the mark-up and the external cost charges shall be invested in financing the construction of **priority projects of European interest** identified in Annex III to Decision No 661/2010/EU.

Infrastructure charge: the infrastructure charge may also be varied for the purpose of reducing congestion, minimising infrastructure damage and optimising the use of the infrastructure concerned or promoting road safety, on condition that:

- the variation is transparent, made public and available to all users on equal terms;
- the variation is applied according to the time of day, type of day or season;
- no infrastructure charge is more than 175 % above the maximum level of the weighted average infrastructure charge;
- the peak periods during which the higher infrastructure charges are levied for the purpose of reducing congestion do not exceed five hours per day;

- the variation is devised and applied in a transparent and revenue neutral way on a road section affected by congestion by offering reduced toll rates for hauliers who travel during off-peak periods and increased toll rates for hauliers who travel during peak hours on the same road section; and
- a Member State wishing to introduce such variation or changing an existing one informs the Commission thereof and provides it with the information necessary to ensure that the conditions are fulfilled. Based on the information provided, the Commission shall make public and regularly update a list containing the periods and corresponding rates during which the variation is applied.

Interoperable toll collection systems: the Commission shall promote cooperation between Member States that may prove necessary to ensure the interoperability of electronic toll collection systems at European level.

Use of revenues generated by this Directive: to enable the transport network to be developed as a whole, revenues generated from infrastructure and external costs charges, or the equivalent in financial value of these revenues, should be used to benefit the transport sector, and **optimise the entire transport system**. In particular, revenues generated from external cost charges, or the equivalent in financial value of these revenues, should be used to **make transport more sustainable**. Amongst other objectives, it is necessary to support the trans-European transport network and provide secure parking places.

This measure shall be deemed to be applied by Member States, if they have in place and implement fiscal and financial support policies which leverage financial support to the trans-European network and which have an equivalent value of **at least 15%** of the revenues generated from infrastructure and external cost charges in each Member State.

Implementing measures: in order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.

Report: at the latest 4 years after the entry into force of this Directive, the Commission’s report on the implementation and effects of this Directive, shall assess, amongst others:

- the implementation and effect of the variation of infrastructure charges as referred to in the Directive on the reduction of local air pollution and congestion. The report shall also evaluate whether the maximum variation and peak period are sufficient to enable a proper functioning of the variation mechanism;
- scientific progress in estimating external costs of transport for the purpose of internalising them; and
- progress towards applying charges to road users and ways of gradually harmonising the charging systems that are applied to commercial vehicles.
- the use of electronic systems to levy and collect infrastructure and external-cost charges and their degree of interoperability pursuant to Directive 2004/52/EC.

The report shall be accompanied, if appropriate, by a proposal to the European Parliament and the Council for further revision of this Directive.