Interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union. Recast

2017/0128(COD) - 31/05/2017 - Legislative proposal

PURPOSE: to ensure the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: interoperability is lacking in the current European electronic toll systems (EETS), which is a particular problem for cross-border traffic. At present, several "**on-board units**" on board vehicles are required to travel unhindered in different countries.

The costs are estimated at **EUR 334 million a year** currently and are expected to fall just below EUR 300 million a year by 2025 (without further EU action).

To address these issues, a Directive on the interoperability of electronic road toll systems was adopted in 2004. Some cross-border interoperability has been achieved, but in a number of countries it is still the case that only national ‘on-board units’ can be used to pay tolls.

EETS providers face **considerable barriers to entry**, such as discriminatory treatment by authorities (including protection of incumbents); long and changing acceptance procedures; and technical specificities in local systems that do not comply with established standards.

Another problem relates to the difficulty to identify the offender on the basis of the licence plate number when the vehicle is registered abroad. There is no legal basis at EU level for the exchange of vehicle registration data between Member States for the purpose of toll enforcement. The resulting revenue leakage for national, regional and local tolling schemes amounts to some EUR 300 million a year.

In this context, the Commission considers it necessary to provide for the **widespread deployment of electronic toll systems** in the Member States and neighbouring countries. These systems should be interoperable and based on open and public standards, available on a non-discriminatory basis to all system suppliers.

IMPACT ASSESSMENT: the preferred option aims to address all problems through legislation, keeping the ‘market-based’ approach taken in Decision 2009/750/EC on the definition of the European Electronic Toll Service and its technical elements.

The expected benefits are as follows:

- for road users – cumulated savings of EUR 370 million (net present value – NPV) until 2025;
- for road network managers – savings of EUR 48 million (NPV) until 2025;
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- for EETS providers – a reduction in regulatory burden linked to entering national markets and market expansion, with additional revenues of EUR 700 million a year.

Overall, the net cumulated benefit of the preferred policy option (benefits minus costs) is **EUR 254 million (NPV) until 2025.**

CONTENT: this proposal is a recast of an existing legal act (Directive 2004/52/EC).

Subject matter and scope: the proposed Directive lays down the conditions necessary to ensure the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union.

It shall apply to the electronic collection of all types of road fees on the entire Union road network, urban and inter-urban motorways, minor and major roads and various structures such as tunnels, bridges and ferries.

Technological solutions: all new electronic toll systems that require the installation or use of on-board equipment should use one or more of the technologies listed in Annex IV to the Directive to carry out electronic toll transactions.

The proposal provides that on-board equipment which uses satellite positioning technology is compatible with the positioning services provided by the **Galileo** and the European Geostationary Navigation Overlay Service (**'EGNOS'**) systems and may be compatible with other satellite navigation systems.

EETS on-board equipment can link to other devices installed or present in the vehicle, such as satellite navigation systems or smartphones. It also clarifies that communication between the on-board equipment and such other devices may use technologies **not listed in Annex IV** (for example, Bluetooth).

Until 31 December 2027, EETS providers may provide users of light-duty vehicles with on-board equipment suitable for use only with the **5.8 GHz** microwave technology.

Procedure for the cross-border exchange of information on road-safety-related traffic offences: for the investigation of the failure to pay road fees, the Member State shall grant other Member States' national contact points access to the following national vehicle registration data, with the power to conduct automated searches.

The system for exchanging information on those who fail to pay a road fee should use the same tools as the system used for exchanging information on road-safety-related traffic offenses provided for in Directive (EU) 2015/413 of the European Parliament and of the Council.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.