

# Promotion of clean road transport vehicles in support of low-emission mobility

2017/0291(COD) - 25/10/2018 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 400 votes to 75, with 112 abstentions, **amendments** to the proposal for a Directive of the European Parliament and of the Council amending Directive 2009/33/EU on the promotion of clean and energy efficient road transport vehicles.

The matter was referred back to the committee responsible for interinstitutional negotiations.

The main amendments to the Commission proposal adopted in plenary concern the following points:

**Scope of application:** Directive 2009/33/EU as amended shall concern the promotion of clean road transport vehicles used in public services in support of low-emission mobility. It shall apply to new contracts for the purchase, lease, rent or hire-purchase and retrofitting of road transport vehicles used in public services that are concluded after this Directive enters into force by Union institutions, agencies and bodies.

**Minimum procurement targets:** Member States shall ensure that purchase, lease, rent or hire-purchase or retrofitting to low or zero-emission vehicle standards of road transport vehicles used in public services, and public service contracts on public passenger transport by road and rail and public service contracts comply with the minimum procurement targets for light-duty vehicles and for heavy-duty vehicles referred to in the Annex to this proposed Directive.

For the purpose of calculating the minimum procurement targets, the **date of the public procurement** to be taken into account is the date of completion of the public procurement procedure, by way of signature of the contract.

The minimum procurement targets shall be calculated as an average of all contracts signed between the **day after the date of transposition of this Directive and 31 December 2024** for the first reference period, and **from 1 January 2025 and 31 December 2029** for the second reference period. In case new targets for the reference period after 1 January 2030 are not adopted in time, the targets set for 2030 shall continue to apply.

To reach the procurement targets, contracting entities shall base the award of contracts on the **most economically advantageous tender**. Member States shall ensure that the cost of compliance with the minimum procurement targets established in this Directive are not passed on to local authorities and that sufficient financial resources are made available to contracting authorities and contracting entities.

**Financial resources:** Parliament suggested that Member States make available **sufficient funding instruments** for the procurement of clean vehicles and the installation of their related infrastructure in their territory. The establishment of the funds shall follow a thorough evaluation of the financial needs of public authorities and contracting entities linked to the procurement targets set at national level.

The Union shall make available **additional funding instruments** to support the uptake of clean vehicles and the installation of their related infrastructure in the Member States.

**Alternative fuels action plan for public transport:** by 31 December 2020, the European Commission shall an action plan to accelerate the set-up of charging and refuelling infrastructure for HDVs owned by

transport companies in their own depots and maintenance areas as well as in the public space. This action plan shall include information on available Union funding instruments and set out clearly the procedures, how such a support can be given, including its relation to existing European state aid rules. The report shall also contain an assessment on how Union funding instruments could be revised to give funding priority to public transport companies of all sizes to replace their vehicles.

**Cross-border and joint public procurement:** in order to facilitate the achievement of the targets set out in the Annex to this Directive, the Commission shall set up a **Union platform** for cross-border and joint procurement of low emission and energy-efficient road transport vehicles. Contracting authorities, entities and operators may participate in this platform for jointly procuring vehicles.

**Enhanced reporting obligations:** reporting on public procurement under this amended Directive shall provide a clear market overview to enable effective monitoring of the implementation. A **preliminary report** shall first be submitted by the Member States to the Commission in **2023**, followed by a first **full report in 2026** on the implementation of the minimum objectives, and then a new report every three years.

Member States shall submit to the Commission a report on the implementation of this Directive by 18 April 2026, and every three years thereafter. No later than 18 April 2027, the Commission shall review Directive 2009/33/EC and any other relevant legislation related to alternative fuel, taking into consideration life cycle CO<sub>2</sub> emissions and of well-to-wheel CO<sub>2</sub> emissions of vehicles. The Commission shall assess the need to review the appropriate legislation related to promotion of clean and energy-efficient road transport with regard to the use of best graded and retreaded tyres, and where appropriate to submit a legislative proposal.

**Protecting European manufacturers:** Members recalled that the Union needs to protect Union manufacturers from **unfair competition in third countries**, where Union manufacturers do not have access to public procurement tenders for the purchase, leasing, rental or hire-purchase of road transport vehicles. Therefore, the Commission should analyse unfair competition practices in third countries and take the appropriate measures to ensure the protection of European industry.