Road transport: charging of heavy goods vehicles and infrastructures fees

2003/0175(COD) - 17/05/2006 - Final act

PURPOSE: to amend the 1999 “Eurovignette” Directive and to introduce new provisions for the charging of heavy goods vehicles.

LEGISLATIVE ACT: Directive 2006/38/EC 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 infrastructure.

CONTENT: the Council adopted, by qualified majority, this Directive, which amends Directive 1999/62 /EC on the charging of heavy good vehicles for the use of certain infrastructures. The Council approved all of the amendments passed by the European Parliament tabled during the second reading of the proposed Directive. Both the Portuguese and the Maltese delegations voted against the amended Directive. The Estonian, Finnish and Greek delegations abstained.

The 1999 Directive, on a framework for the levying of tolls and user charges on Europe’s motorways, has been amended in order to increase the efficiency with which Europe’s road network is operated and to do so in a harmonised manner compatible with the EU’s internal market. It is also intended to introduce balanced provisions for charging hauliers for the cost of using the infrastructure. In adopting this legislation the EU is trying to eliminate competitive distortions between transport undertakings, whilst at the same time promoting provisions which will ultimately benefit the environment. To achieve this objective, the Directive introduces new rules for tolls or user charges on the trans-European network.

The Directive’s scope has been broadened so that it now applies to the whole of the trans-European network and not just motorways – as was previously the case. Although not obliged to do so, the Directive also allows Member States to levy tolls and user charges on all other roads as well – any such revenues raised, however, must be in conformity with this Directive. Tolls will be based on the principle of recovery of infrastructure costs although environmental considerations will also play a key role in determining the rate charged. Revenues from tolls or user charges will be used for the maintenance of the infrastructure and for the transport sector as a whole. Importantly, the amended Directive states that any tolls charged should not discriminate against international traffic and should not result in distortions of competition between operators. Fees should be non-discriminatory and their collection should not involve excessive formalities or create barriers at internal borders. The calculation of costs will be based on a core set of principles set out in Annex II of the Directive.

As from 2012, the Directive (subject to certain derogations) will apply to vehicles over 3.5 tonnes, rather than only to vehicles over 12 tonnes – the limit set by previous requirements. In other provisions, the Directive allows for a greater variation of tolls depending on the level of congestion. A fairer system of charging for use of the road infrastructure is based on the “user pays” principle. Thus, toll variations, reflecting the pollution caused by vehicles, will be mandatory as from 2010. Member States, will be able to differentiate tolls depending on a vehicles emission category (EURO classification) and the level of damage caused to roads, the place, the time and the amount of congestions.

As far as the “polluter pays” principle is concerned the Directive states that any future decisions for all modes of transport will take account of both internal as well as external costs. In addition, any future decision on this matter will take full account of the tax burden already borne by road haulage companies, including vehicle taxes and fuel excise duties.

Provisions have been put in place to allow the Member States to increase tolls with a “mark-up” on roads in particularly sensitive mountainous regions such as the Alps or the Pyrenees. Any revenue thus collected must be re-invested into alternative transport infrastructure.

In accordance with implementation procedures the European Commission will begin work on developing a generally applicable, transparent and comprehensible model for the assessment of external costs for all modes of transport, which will serve as the basis for future calculation of infrastructure charges.

ENTRY INTO FORCE: 10 June 2006.

TRANSPOSITION: 10 June 2008.