Opinion of the European Economic and Social Committee on the 'Proposal for 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'

(COM(2017) 275 final — 2017/0114 (COD))

and on the 'Proposal for a Council Directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures, as regards certain provisions on vehicle taxation'

(COM(2017) 276 final — 2017/0115 (CNS))

(2018/C 081/26)

Rapporteur: **Alberto MAZZOLA**

Consultation	European Council, 12.6.2017 and 23.6.2017
	European Parliament, 15.6.2017
Legal basis	Articles 91 and 113 of the Treaty on the Functioning of the European Union
Section responsible	Transport, Energy, Infrastructure and the Information Society
Adopted in section	2.10.2017
Adopted at plenary	18.10.2017
Plenary session No	529
Outcome of vote	121/2/6
(for/against/abstentions)	

1. **Conclusions and recommendations**

1.1. The EESC considers that the introduction by the EU of a fair, transparent, non-discriminatory and non-bureaucratic system of road pricing that is proportionate to road use and the external costs generated by lorries, buses and cars, without fragmenting pricing systems and while complying with the 'user pays' and 'polluter pays' principles, would have a positive impact by combating the deterioration of road infrastructure, congestion and pollution. In accordance with the conditions listed below, this system could be gradually applied to HDVs and LDVs on the trans-European transport network (TEN-T), beginning with priority sections.

1.2. The EESC emphasises the importance of updating the common legal framework to ensure uniform scope for all road users, especially regarding the EU-level pricing system in connection with the use of road infrastructure of EU importance — based on distance travelled — such as the TEN-T roads, motorways and national roads carrying significant international traffic.

1.3. The transport sector plays a vital role in the EU's mobility and socioeconomic development, and the EESC argues that in order to meet the challenges of growth and sustainability we must optimise the transport infrastructure network. Investing in infrastructure is crucial to growth and employment, since a 1 % increase in spending on infrastructure raises the level of output by 0,4 % in the same year and by 1,5 % four years later ([1]).

1.4. The EESC is concerned that 'while transport infrastructure needs are estimated at about EUR 130 billion per year at the European level, the average investment levels in the EU are well below EUR 100 billion since the beginning of the crisis' ([2]). Spending on road infrastructure maintenance has fallen, in spite of the new EU framework for the development of

([1]) IMF, World Economic Outlook, 10.2014.
([2]) ITF, *ITF Transport Outlook 2015*, OECD Publishing, Paris, 2015.

the trans-European Transport Network introduced at the end of 2013 [3] and measures supported by the EU structural funds [4]. The Multiannual Financial Framework 2021-2027 is unlikely to increase the resources needed.

1.5. In the EESC's view, it is crucial that revenues from the use of road infrastructure be allocated as follows: those relating to the use of infrastructure should go to cover the costs of building, developing, operating and maintaining road infrastructure, while those connected with external costs should be earmarked for measures to mitigate the negative effects of road transport and to improve performance through alternative infrastructure, innovative traffic management systems, automatic driving, electrification — quick recharging points, particularly — and alternative energy systems.

1.6. In the EESC's view, the additional revenues thus obtained — which, under the option chosen by the EC, could amount to EUR 10 billion per year [5], EUR 20 billion if made compulsory for all HDVs, and even more if extended to include LDVs — could significantly boost the completion and functioning of the trans-European transport network, including its technological aspects. However, the public contribution to infrastructure financing is still pivotal and essential.

1.7. The EESC sees the revision of the Eurovignette legislation as an opportunity to set common, harmonised standards and to monitor and step up the proper application of this legislation, creating a dedicated EU register and collecting relevant information from the Member States.

1.8. The EESC considers it essential that the internal transport market be free of discriminatory practices and urges the EC to take action to rapidly ensure full compliance with the EU legislative framework. In particular, the charges applied and discounts for regular and/or national users must not discriminate against occasional and/or non-national users.

1.9. Another major concern for the EESC focuses on the effects of climate change and levels of environmental protection and all aspects regarding health and social well-being in relation to the rational use of transport. As it has previously pointed out 'with regard to transport, the objective of reducing greenhouse (GHG) emissions by 60 % compared with 1990 levels is still very ambitious and requires major efforts' [6].

1.10. The EESC reiterates that the user pays and polluter pays principles should be applied flexibly in the context of peripheral regions and remote rural, mountain and island areas, in order to avoid effects that are inversely proportional to the costs and in order to ensure that it continues to be useful as a way of influencing choices regarding the organisation of transport operations, while at the same time abolishing any unfair competition between different modes of transport (TEN/582 The impact of the conclusions of COP 21 on EU transport policy).

1.11. The EESC also considers it vital to review the effects of the Directive after two years of entering into force, in particular the effects in terms of benefits coming from new investments, as well as costs for freight with a view to avoid deteriorating the global competitiveness of European industries.

1.12. The EESC considers that special attention must be given to the acceptability of measures to users, consumers and the general public in terms of the transparency and clarity of the new charging framework, ensuring — in part by means of multilingual road signs — that users have an immediate and clear appreciation of the purpose of the amounts collected and their fair distribution and allocation, as well as of the absence of excessive or dual charges, including using two summary indicators of road quality, congestion levels and emissions savings per km of infrastructure.

---

(3) Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).
(4) In the course of 2014-15 the total investment by the EU institutions from their financial sources (i.e. TEN-T/CEF, ERDF/CF and EIB loans) in TEN-T core and comprehensive network infrastructure amounted to EUR 30,67 billion in all 28 Member States.
(5) Impact assessment for the Eurovignette Directive.
(6) OJ C 303, 19.8.2016, p. 10.

1.13. The EESC is convinced that allocating revenues derived from the application of the new legislation, as indicated above, could generate additional employment for more than half a million workers.

1.14. In the EESC's view, the Commission should monitor and reinforce tools for the correct and uniform application of the new legislation, including regular, scientifically-based checks on the levels of external costs and an effective match between the pricing systems adopted and real vehicle emissions, which do not currently benefit the best-performing vehicles. It should also address a detailed annual progress report on the application of the revised directive to the EP and to the Council, as well as to the CoR and the EESC.

2. **Introduction**

2.1. Transport is a crucial pillar of the European single area, making freedom of movement for people, workers, goods and services across the Union a reality. The efficiency and quality of transport networks have a direct impact on sustainable development, the quality of life and employment, and European competitiveness.

2.2. The EU's road transport economy provides 5 million direct jobs and generates almost 2 % of EU GDP, with 344 000 road passenger transport and 560 000 road freight enterprises ([7]), making a major contribution to growth and employment in the EU, and consequently requiring Proactive policies.

2.3. Transport is the main cause of air pollution, presently accounting for a quarter of Europe's greenhouse gas emissions. Roughly a quarter of road transport emissions are due to lorries and buses, a share which is set to increase by some 10 % between 2010 and 2030 (*EU Reference Scenario 2016: Energy, transport and GHG emissions — Trends to 2050*). As a first step, the EC has concentrated on two proposals: one on the certification of carbon dioxide emissions and fuel consumption of these vehicles and another on the monitoring and reporting of such certified data.

2.4. The strategy adopted, which the EESC discussed in an earlier document ([8]), includes a roadmap towards low-emissions mobility to drive this transition, not least g in the light of the targets laid down in the Paris climate-change agreement.

2.5. The strategy pursues three objectives: to ensure a more effective transport system, to promote alternative, low-carbon energies in the transport sector, and to promote low/zero emission vehicles.

2.6. Its principal scope is road transport, which is responsible for more than 70 % of overall transport greenhouse gas emissions and a large share of air pollution, but the other transport sectors must also contribute.

2.7. In order to bring about more energy cost- and emissions-efficient transport, the right price signals must be sent and account taken of externalities: in this respect, the EC plans to introduce road tolls based on actual kilometres travelled in order better to reflect the 'polluter pays' and 'user pays' principles.

2.8. Four problems are tackled by applying these principles more broadly: the solution is to be found in 'fair and efficient road pricing'.

— road transport is responsible for 17 % of the EU's CO_2 emissions and usage of low and zero emissions vehicles is insufficient to meet the 2030 climate and energy goals;

([7]) EU Transport in figures, European Commission, 2016, based on Eurostat data.
([8]) OJ C 383, 17.11.2015, p. 84.

— the quality of EU roads is deteriorating because of falling infrastructure investment and delays in maintenance, with no account taken of the long-term economic impact;

— some Member States have introduced temporary pricing (vignettes) that discriminates against occasional non-national operators;

— the pollution and congestion generated by road vehicles entail significant costs for society.

2.9. The **economic impact** analyses reveal important differences in increased costs for transport users, the authorities and operators, balanced against increased revenues and reductions in congestion costs and other externalities, while identifying potentially negative impacts in terms of distribution and impact on SMEs as a result of increased costs ([9]).

2.10. The digital technologies have the capacity to increase the safety, efficiency and inclusivity of transport, by allowing for fluid, door-to-door mobility, integrated logistics and added-value services, with the spread of smart transport systems in all transport modes as an integral part of the development of the multimodal trans-European transport network.

2.11. The steps taken at European level concerning low-emissions transport cannot but have a major **impact on regions** crossed by transport infrastructure, with direct consequences in terms of energy, spatial, environmental and transport planning, and with significant effects on the economy and employment.

2.12. With regard to the **acceptability of such measures to users, consumers** and the general public, more needs to be done in terms of transparency and clarity in order to create a low and zero-emissions vehicle market. Consumer information should be improved by vehicle labelling and support should be provided with regard to public procurement. At the same time, action must be taken in terms of the transparency of the new charging framework, ensuring that users have an immediate and clear appreciation of the purpose of the amounts collected and their fair distribution, and of the absence of excessive or dual charges.

3. Gist of the **EC** proposals

3.1. In the EC's proposals, pricing applies to road infrastructure, is commensurate with the distance travelled — excluding any kind of flat-rate pricing as currently practised in some EU countries — and covers all types of vehicles: not only heavy goods vehicles but also coaches, buses, vans and cars. Consequently, it concerns both freight and passenger transport and proposes modulating charges in line with the potential for pollution and wear of the infrastructure. More specifically, the legislative amendments concern:

— provisions on tolls and user charges, applying to all vehicles and not only those weighing more than 3,5 tonnes: updating of the provisions of the directive and extension of its scope to all heavy duty vehicles (HDV) from 1.1.2020, and to light vehicles with the removal of exemptions, maximum values of external cost charging and simplification of requirements for such charging.

— phasing out of time-based charges for HDVs by 31.12.2023 and for light vehicles by 31.12.2027, introduction of a new distance-based charging system with a method for calculating and assessing the costs underpinning pricing;

— modulation of infrastructure charges based on CO_2 emissions for HDVs and the gradual removal of the current charge modulations according to Euro emission classes from 1.1.2022;

([9]) *Support Study for the Impact Assessment Accompanying the Revision of the Eurovignette Directive (1999/62/EC)*, Study contract No. MOVE/A3/119-2013 — 05.2017.

— additional measures for light vehicles addressing interurban congestion as well as pollutant and CO_2 emissions from all vehicles;

— mandatory external cost charging, at least on part of the network, for HDVs from 1.1.2021.

3.2. In keeping with the ‘polluter pays’ and ‘user pays’ principles, the extension of the scope of Directive 1999/62/EC should help to reduce distortions of competition caused by the current exemption of buses and coaches from paying for infrastructure use.

3.3. A further proposal contains amendments for the gradual reduction of the minimum levels of heavy goods vehicle taxes to zero, in five steps over five consecutive years, each accounting for 20 % of the current minima.

4. **General comments**

4.1. The EESC considers that the introduction by the EU of a fair, transparent, non-discriminatory and non-bureaucratic system of road pricing that is proportionate to road use and the scientifically measurable external costs generated by lorries, buses and cars, without fragmenting pricing systems but with ceilings for external costs and complying with the ‘user pays’ and ‘polluter pays’ principles would have a positive impact by combating the deterioration of road infrastructure, congestion and pollution.

4.2. The EESC emphasises the importance of reassessing, amending and strengthening the uniform application of EU rules in order to create a common legal framework ensuring a level playing field for all road transport sector users. The choice of a directive as the instrument leaves considerable margin for divergent implementing methods, and the EESC thinks that the possibility must be considered that, following a three-yearly compliance check, the use of more binding legislative instruments may be needed to ensure uniform application.

4.3. The EESC strongly urges that the common charging framework be clear, transparent, simple, verifiable and explained in easily understood terms making clear how revenue is to be used, both on electronic or paper receipts and on motorway signboards, with a view to greater social acceptability of the contribution made by each user to the common good.

4.4. Further harmonisation of rules and the introduction of an EU-wide common legal framework for a road pricing system in connection with the use of road infrastructure of EU importance, such as the TEN-T roads, motorways and national roads carrying significant international traffic, are essential for achieving a genuine single EU road transport market free of discrimination and distortions of competition.

4.5. Charging systems have different effects on core and peripheral regions: core regions with high transit volumes suffer a greater negative impact than peripheral regions, while the latter receive much less environmental impact-related fiscal compensation and infrastructure funding than the core regions. The EESC considers that the structural and environmental funds and the EIB should intervene to ensure balanced development.

4.6. The lack of harmonisation of payment systems, whether by vignettes or tolls, is also related to varying collection technologies with different and often non-interoperable models for road charging systems, generating further administrative burdens and additional costs for transport and logistics companies, given the growing demand for innovative road transport with the development of new, smart infrastructure, including automatic driving and the introduction of new fuels, and the proper maintenance of existing networks capable of bearing flows.

4.7. The EESC is convinced that proper investment in existing and future infrastructure is needed to achieve better functional interoperability, in part through the use of satellite technology, of national transport networks. Access to them across the single market should be facilitated by fostering enhanced application of intelligent logistics [10] and ICT solutions to improve road safety and boost overall system efficiency through wider use of intelligent transport systems, and to ensure more efficient, better connected, modern and sustainable road transport networks throughout Europe. The aim should be for only on-board units that are interoperable at EU level to be installed on vehicles from 2019 (see the strategy for the digitalisation of transport).

4.8. The EESC considers that given the lack of investment in transport infrastructure and the inadequate levels of infrastructure maintenance, it is crucial to apply the 'polluter pays' and 'user pays' principles to fund road infrastructure, provided that:

— revenue resulting from infrastructure use charging is channelled to the same road infrastructure, while

— revenue from external cost charging must be directed to mitigating the negative effects of road transport, including the construction of alternative infrastructure, the introduction of alternative fuels, alternative driving systems, alternative modes of transport and energy supply, and support for trans-European transport networks

— Article 9 of the directive is amended accordingly.

4.9. The EESC attaches similar importance to investment in order to reduce road transport CO_2 emission levels (see point 2.12), which have a serious effect on environmental quality and external costs representing 1,8-2,4 % of GDP. It calls for an integrated approach to reducing CO_2 emissions: imposing emission limits on new HDVs on the EU vehicle market is a more effective instrument for reducing emissions than charging, but meeting the objectives set is not enough.

4.10. In the light of the continuing traffic congestion problem, both within and beyond urban areas, EU financial support should be forthcoming for advanced traffic management systems and efficient satellite logistics processes in order to eliminate the additional costs currently borne by users. In any case, the revenue generated by the voluntary adoption of such measures should be channelled directly to funding alternative, impact-neutral solutions.

4.11. Public transport shall be promoted and road charges shall be defined to respect and fulfil this objective, both for user and polluter pays principles.

5. **Specific comments**

5.1. The EESC supports the European Electronic Tolling Service's (EETS) objective of 'one on-board unit, one contract and one invoice' throughout the EU, which would create a single market and ensure that commercial road transport operators had only one provider, one contract and one invoice.

5.2. The Brenner experiment of applying increased tolls, in keeping with the principles and ceilings indicated by the directive, with a view to creating alternative infrastructure, is proving its worth and is accepted by the local population. The EESC would consequently welcome extending this option to other sensitive areas.

5.3. In the EESC's view, the discount arrangements under Article 7 laid down for HDVs following lengthy discussions and analysis are fair and non-discriminatory and could be similarly extended to LDVs, reducing the current disparities between occasional/non-national and regular/national users that occur in some countries. Article 7 should therefore be amended accordingly.

5.4. A comparison of external cost charges for some categories of vehicle, for example between Euro V and Euro VI lorries, reveals significant penalisation over time of less-polluting vehicles which the EESC considers unjustified. The EESC calls for the external cost charges defined in the Annexes to the directive to be revised to the benefit of lower-emission vehicles. For zero-emission vehicles, the EESC supports the option of temporarily reducing toll charges for infrastructure use.

(10) COM(2016) 766 final.

5.5. The EESC calls on the EC to regularly update the **scientific** evaluation of tools, including local conditions, taking account of specific local factors while avoiding discrimination lacking valid scientific grounds.

Brussels, 18 October 2017.

The President
of the European Economic and Social Committee
Georges DASSIS