



Romanian Parliament
Senate

Bucharest, September, 26, 2017

OPINION

Regarding 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

The Romanian Senate examined 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** – according to the provisions of the Treaty of Lisbon (Protocol no. 2).

Taking into account the report of 469/ September, 20, 2017 of our permanent Committee on European Affairs, **the Plenum of the Senate**, during its session of September, 25, 2017, decided as follows:

- 1. This Regulation does not violate principles of subsidiarity and proportionality.**
- 2. Within the amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures, the following are strongly recommended to pursue:**
 - a) The introduction of a new definition of “goods vehicle” as follows: goods vehicle means any vehicle used for the carriage of goods, specialized vehicles (e.g. truck mixers, cranes), vehicles for the simultaneous persons and goods transport, separate wagons and any other vehicle that is not intended for the carriage of passengers;
 - b) Changing “travelers” with “people” from the Romanian translation of the Directive;
 - c) Modification and completion of the definition “passenger car” in Article 2 paragraph (20) as follows: a passenger car means a vehicle intended for the carriage of not more than eight persons other than the driver and the campers;
 - d) Completing the Article 7 paragraph (2) so that the application of tolls and users charges is only possible on national importance roads. At the same time, it is appropriate to supplement the

paragraph with indications that it is not possible to apply tolls and users charges on secondary roads, such as local and forestry roads;

e) Inserting a text in the Article 7 which makes it very clear that a Member State may apply tolls or user charges on infrastructure completed more than 30 years before 10 June 2008 without being possible recovery of construction costs;

f) Completing the Article 7c paragraph (5) as follows:

Until 31 December 2023, a Member State may derogate from the amount of the external-cost charge in any of the following situations:

(i) this requirement would seriously compromise the coherence of the charging systems on the Member State territory;

(ii) it would not be technically practicable to introduce such differentiations in the taxation system in question;

g) Completing the Article 7ga, paragraph (2) with the following derogation:

Until 31 December 2023, a Member State may derogate from the amount of the external-cost charge in any of the following situations:

(i) this requirement would seriously compromise the coherence of the charging systems in its territory;

(ii) it would not be technically practicable to introduce such differentiation into the taxation system in question;

h) Inserting a text in the Article 7ga paragraph (11a) which stipulates that Member States has the obligation to pay tolls and user charges 24 hours a day, both at the border and within the country, so as to ensure at least two methods of payment, cash and card, and not to be charged at the border, the place of purchase being at the choice of the user;

i) Article 7j is amended as follows:

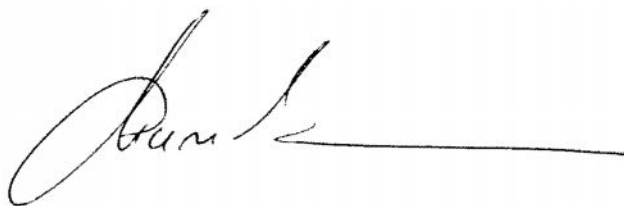
(a) in paragraph 1, the second sentence is replaced by the following:

“To that end, Member States shall cooperate in establishing methods for enabling road users to pay tolls and user charges 24 hours a day, at least at major sales outlets, using common means of payment, inside and outside the Member States in which they are applied.

Member States has the obligation to pay tolls and user charges 24 hours a day, both at the border and within the country, so as to ensure at least two methods of payment, cash and card, and not to be charged at the border, the place of purchase being at the choice of the user;

- j) Completing the Annex IIIb “Reference values of the external-cost charge” in paragraph (e), entitled “Vehicle combinations (articulated vehicles and road trains)”, by introducing the categories of vehicles “3+1 axles”, “2+4 axles” and the modification of the “8 or 9 axes” category of “at least 8 axes”.

p. Speaker of the Senate

A handwritten signature in black ink, appearing to read 'Iulian-Claudiu MANDA', with a long horizontal line extending to the right.

Iulian – Claudiu MANDA