

EUROPEAN PARLIAMENT

2004



2009

Committee on Transport and Tourism

2005/0283(COD)

30.5.2008

OPINION

of the Committee on Transport and Tourism

for the Committee on the Environment, Public Health and Food Safety

on the revised proposal for a directive of the European Parliament and of the Council on the promotion of clean and energy-efficient road transport vehicles (COM(2007)0817 – C6-0008/2008 – 2005/0283(COD))

Draftswoman: Silvia-Adriana Țicău

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SHORT JUSTIFICATION

Road urban transport and climate change

Climate change affects every European, every day. The EU, has agreed to reduce by 20% our greenhouse gas emissions by 2020, to increase its energy efficiency by 20% and to use renewables for at least 20% of the EU's overall energy consumption.

In the EU, the road transport sector is responsible for 26% of final energy consumption and 24% of CO₂ emissions. Urban transport accounts for 40 % of the CO₂ emissions of road transport and up to 70 % of other pollutants from transport. Though a major contributor to growth, transport also involves a cost to society.

The content of the proposal

The new proposal replaces the initial Commission proposal, which was rejected by Parliament in committee in the year 2006¹. The new proposal is based on a new technological approach which, according to the Commission, is neutral. The controversial provision to ensure that public bodies procure a certain quota of clean vehicles, i.e. a threshold of 25%, was removed from the text of the proposal.

The Commission introduces a harmonised and monetised methodology for clean and energy-efficient vehicle procurement for public transport. Operational lifetime costs for energy consumption, CO₂ emissions and pollutant emissions should be included as award criteria for all procurement of road transport vehicles by public authorities and by operators providing services under a contract with a public authority. The lifetime of a vehicle is defined according to the technical specifications and in their absence, the Commission sets a lifetime mileage for road transport vehicles.

The green award criteria can be included initially on a voluntary basis and become mandatory from a date no later than from 2012.

The proposal seeks to have the effect of lowering the costs of clean and energy-efficient vehicles by creating a critical mass of green market vehicles. Existing legislation (EURO vehicle emission standards) can be used in the award criteria.

The mandatory application of criteria for the procurement of clean and energy-efficient vehicles does not preclude the inclusion of other relevant criteria and permits also the retrofitting of vehicles with upgraded environmental technology and performance.

Although a full impact assessment is not provided with the new proposal, the Commission estimates procurement by public authorities at 16% of EU GDP (approximately €1500 billion), with a total annual vehicle procurement of 110 000 passenger cars, 110 000 light commercial vehicles, 35 000 lorries and 17 000 buses for the EU.

¹ The Committee on Transport and Tourism rejected the draft opinion and as result no opinion was delivered to the Committee on Environment, Public Health and Food Safety. The latter rejected the proposal.

Draftswoman's proposals

The proposed methodology aims to be a useful tool for the national, regional and local authorities, helping them to take the most intelligent decision for urban mobility with respect to the environment. Cleaner vehicles and intelligent cars are more expensive today. For the procurement of clean and energy-efficient vehicles, the contracting authorities should consider the minimum cost criteria as well as the 'green award' criteria.

The draftswoman considers that the aim of the directive will be achieved if the following conditions are considered:

- **Member States shall inform all national, regional or local contracting authorities and contracting entities** within the meaning of Directives 2004/17/EC and 2004/18/EC of the **'green' criteria for the purchase** of such vehicles by operators under contract, licence, permit or authorisation granted by public authorities in order to promote clean and energy-efficient vehicles. **The contracting authority may require tests for specific traffic conditions and load capacity.**
- **Member States shall exchange information related to the green public procurements and their funding.** This information shall include, but shall not be limited to, the Structural Funds, the Cohesion Fund, JESSICA, the 7th Research Framework Programme, State or Community aids, national or European grants and loans. Member States can use better the European financial instruments to improve urban mobility and urban air quality.
- **Competitive prices should be encouraged** so that the price difference between a clean and energy-efficient vehicle and a traditional vehicle would not be a disadvantage for the green vehicle market.
- **A common European website and a database** with all applicable legislation and all public procurements promoting clean and energy-efficient road transport vehicles and the applicable financial instruments should be provided by the Commission .
- **A common European label** for green vehicle procurement should be used by local, regional and national authorities.
- **Members States and the Commission shall take the necessary measures to consider, urban mobility and the promotion of clean and energy-efficient road transport vehicles within the strategic follow-up and mid-term review of the national strategic reference frameworks and national and regional operational programmes, as defined by Regulation (EC) No 1083/2006. CIVITAS and the Intelligent Energy - Europe programmes should continue to be supported.**

AMENDMENTS

The Committee on Transport and Tourism calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a directive Recital 10 a (new)

Text proposed by the Commission

Amendment

10a. Member States should inform national, regional or local contracting authorities and contracting entities which provide public passenger transport services under licence, permit or authorisation granted by public authorities on the provisions related to the procurement of clean and energy-efficient road transport vehicles.

Justification

It is important to provide the relevant information to the contracting authorities in order to better prepare for acquisitions due to the fact that the 'green' award criteria will be new, in addition to the provisions of the Directives 2004/17/EC and 2004/18/EC.

Amendment 2

Proposal for a directive Recital 11

Text proposed by the Commission

Amendment

11. Clean and *energy efficient* vehicles initially have a higher price than conventional ones. Creating sufficient demand for such vehicles should ensure that economies of scale can lead to cost reductions.

11. Clean and *energy-efficient* vehicles initially have a higher price than conventional ones. Creating sufficient demand for such vehicles should ensure that economies of scale can lead to cost reductions. ***Companies should be encouraged to promote competitive prices so that the price difference between a***

clean and energy-efficient vehicle and a traditional vehicle would not be to the disadvantage of the green vehicle market.

Justification

In order to benefit from the economies of scale, efforts from the industry sector are needed to make clean vehicles have competitive prices too.

Amendment 3

**Proposal for a directive
Recital 11**

Text proposed by the Commission

(11) Clean and *energy-efficient* vehicles initially have a higher price than conventional ones. Creating sufficient demand for such vehicles should ensure that economies of scale can lead to cost reductions.

Amendment

(11) Clean and *energy-efficient* vehicles initially have a higher price than conventional ones. Creating sufficient demand for such vehicles should ensure that economies of scale can lead to cost reductions ***and that it will be possible to set up the facilities necessary in order to supply fuels of every type specified in the Annex.***

Amendment 4

**Proposal for a directive
Recital 16 a (new)**

Text proposed by the Commission

Amendment

(16a) The energy and environmental award criteria should be among the various award criteria to be taken into consideration by contracting authorities or contracting entities when they are called upon to take a decision on the procurement of clean and energy-efficient road transport vehicles.

Justification

This directive provides non-exhaustive criteria that can be applied by local authorities or entities to the procurement of clean and energy-efficient road transport vehicles.

Amendment 5

Proposal for a directive

Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) State aid for the procurement of road transport vehicles, including the retrofitting of type-approval vehicles with engines and replacement parts, should be allowed under Community rules. Such State aid may be justified in the light of the general interest of the Community, in particular as regards urban sustainable transport mobility.

Justification

State aid for the procurement of road transport vehicles should comply with EC rules.

Amendment 6

Proposal for a directive

Recital 19 a (new)

Text proposed by the Commission

Amendment

19a. Member States and the Commission should take into account, during the strategic follow-up and mid-term review of the national strategic reference frameworks and national and regional operational programmes, as defined by Regulation (EC) No 1083/2006, of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and regarding Regulation (EC) No 1260/1999¹, the eligibility of urban mobility for financial assistance and the promotion of clean and energy-efficient road transport vehicles. Taking into consideration the results achieved

through the CIVITAS programme and the Intelligent Energy-Europe programme, Member States and the Commission should continue to support these initiatives.

¹ OJ L 210, 31.7.2006, p. 25.

Justification

The Green paper on urban mobility was discussed until 15 March and many Member States failed to take these issues into account within the current National Operational Programmes. Good initiatives already in place which have helped to inform and to train local or central authorities should be supported and continued.

Amendment 7

Proposal for a directive Article 1

Text proposed by the Commission

This Directive requires the inclusion of operational lifetime costs of energy consumption, CO₂ emissions, and pollutant emissions as award criteria in the procurement of road transport vehicles, by contracting authorities or contracting entities within the meaning of Directives 2004/17/EC and 2004/18/EC or as criteria for the purchase of such vehicles by operators under contract, licence, permit or authorisation granted by public authorities, in order to promote clean and *energy-efficient* vehicles.

Amendment

This Directive requires the inclusion of operational lifetime costs of energy consumption, CO₂ emissions, and pollutant emissions as award criteria in the procurement of road transport vehicles, ***including the retrofitting of such vehicles with engines and replacement parts***, by contracting authorities or contracting entities within the meaning of Directives 2004/17/EC and 2004/18/EC or as criteria for the purchase of such vehicles by operators under contract, licence, permit or authorisation granted by public authorities, in order to promote clean and *energy-efficient* vehicles.

Justification

The scope of the directive should cover the retrofitting of type-approved road transport vehicles with engines and replacement parts.

Amendment 8

Proposal for a directive

Article 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

This Directive shall not apply to the retrofitting with engines and replacement parts of road transport vehicles that have exceeded 75% of their total lifetime mileage.

Justification

The scope of the directive should cover type-approved road transport vehicles of M and N categories, including retrofitting with engines and replacement parts. In order to promote the replacement of old or polluting vehicles, as well as innovation, and ensure the beneficial effects of the proposed measure, the engines and the replacement parts should apply to those vehicles which have not exceeded 75% of their total lifetime mileage.

Amendment 9

Proposal for a directive

Article 1 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

Without prejudice to the relevant law, in particular the Community legislation on State aid and Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70¹, Member States may promote the procurement or the purchase of clean and energy-efficient road transport vehicles, including retrofitting with engines and replacement parts where such vehicles have not exceeded 75% of their total lifetime mileage.

¹ OJ L 291, 9.11.2007, p. 25

Justification

State aid for the procurement of road transport vehicles should comply with EC rules.

Amendment 10

Proposal for a directive

Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1a

Definitions

‘Road transport vehicle’ means vehicles of M and N categories as defined in Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)¹ and retrofitting with engines and replacement parts where such vehicles have not exceeded 75% of their total lifetime mileage.

¹ OJ L 263, 9.10.2007, p. 1.

Justification

The definition of type-approved road transport vehicles of M and N categories should also cover retrofitting with engines and replacement parts. In order to promote the replacement of old or polluting vehicles, as well as innovation, and ensure the beneficial effects of the proposed measure, the engines and the replacement parts should apply to those vehicles which have not exceeded 75% of their total lifetime mileage.

Amendment 11

Proposal for a directive

Article 2 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that, no later

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than from the date referred to in Article 7(1), the contracting authorities or contracting entities within the meaning of Directives 2004/17/EC and 2004/18/EC use the methodology defined in Article 3, whenever they apply operational lifetime costs for energy consumption, CO₂ emissions, and pollutant emissions **as** award criteria for the procurement of road transport vehicles.

than from the date referred to in Article 7(1), the contracting authorities or contracting entities within the meaning of Directives 2004/17/EC and 2004/18/EC use the methodology defined in Article 3, whenever they apply operational lifetime costs for energy consumption, CO₂ emissions, and pollutant emissions **in conjunction with other** award criteria for the procurement of road transport vehicles.

Justification

Energy consumption costs, and the costs arising from CO₂ and pollutant emissions, should be treated as a voluntary criterion to enable purchasers to select tenders that are environmentally friendly as well as offering the best value for money.

Amendment 12

Proposal for a directive Article 2 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that, no later than from 1 January 2012, all public procurement of road transport vehicles by contracting authorities or contracting entities within the meaning of Directives 2004/17/EC and 2004/18/EC includes operational lifetime costs for energy consumption, CO₂ emissions, and pollutant emissions of road transport vehicles **as** award criteria, following the methodology defined in Article 3.

Amendment

2. Member States shall ensure that, no later than from 1 January 2012, all public procurement of road transport vehicles by contracting authorities or contracting entities within the meaning of Directives 2004/17/EC and 2004/18/EC includes operational lifetime costs for energy consumption, CO₂ emissions, and pollutant emissions of road transport vehicles **in the range of** award criteria, following the methodology defined in Article 3.

Justification

Energy consumption costs, and the costs arising from CO₂ and pollutant emissions, should be treated as a voluntary criterion to enable purchasers to select tenders that are environmentally friendly as well as offering the best value for money.

Amendment 13

Proposal for a directive Article 2 – paragraph 3

Text proposed by the Commission

3. Member States shall ensure that, no later than from 1 January 2012, **all** purchase of road transport vehicles for the provision of public passenger transport services under licence, permit or authorisation granted by public authorities includes operational lifetime costs for energy consumption, CO₂ emissions, and pollutant emissions of road transport vehicles **as** criteria, following the methodology defined in Article 3.

Amendment

3. Member States shall ensure that, no later than from 1 January 2012, **any** purchase of road transport vehicles for the provision of public passenger transport services under licence, permit or authorisation granted by public authorities includes operational lifetime costs for energy consumption, CO₂ emissions, and pollutant emissions of road transport vehicles **in the range of** criteria, following the methodology defined in Article 3.

Justification

Energy consumption costs, and the costs arising from CO₂ and pollutant emissions, should be treated as a voluntary criterion to enable purchasers to select tenders that are environmentally friendly as well as offering the best value for money.

Amendment 14

Proposal for a directive Article 2 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may apply more stringent award criteria to the procurement of clean and energy-efficient vehicles, and may elect to purchase reconditioned vehicles or have existing vehicles modernised by, for example, fitting them with particulate traps and start-stop systems or adapting engines to run on cleaner fuels, in order to improve environmental performance.

Justification

Logical consequence of the subsidiarity principle and enlarges upon recital 16.

Amendment 15

**Proposal for a directive
Article 2 - paragraph 3 b (new)**

Text proposed by the Commission

Amendment

3b. Local, regional or national authorities which procure clean and energy-efficient vehicles for at least 30% of their annual specific procurement, may use the label stating 'clean and energy-efficient road urban transport'. The Commission shall establish a uniform design for this label.

Justification

It is important to motivate contracting authorities to promote clean and energy-efficient vehicles.

Amendment 16

**Proposal for a directive
Article 2 – paragraph 3 c (new)**

Text proposed by the Commission

Amendment

3c. By 1 January 2013 the use of the label stating 'clean and energy-efficient road urban transport' shall be applied only to those contracting authorities or contracting entities undertaking 100% green procurement in their annual procurement of public road transport vehicles.

Justification

In order to promote clean and energy-efficient road-borne urban transport, the green label should apply after 1 January 2013 only to the contracting authorities or entities that cover

their annual procurement of public road transport vehicles by 100% green procurement.

Amendment 17

Proposal for a directive Article 3 - paragraph 2

Text proposed by the Commission

2. Fuel consumption, CO₂ emissions, and pollutant emissions per kilometre for vehicle operation shall be based on standardised EU test procedures for the vehicles for which such test procedures are defined in EU type approval legislation. For vehicles not covered by standardised EU test procedures, comparability between different offers shall be ensured by using widely recognised test procedures, or the results of tests for the authority, or in the absence of these, information supplied by the manufacturer.

Amendment

2. Fuel consumption, CO₂ emissions, and pollutant emissions per kilometre for vehicle operation shall be based on standardised EU test procedures for the vehicles for which such test procedures are defined in EU type approval legislation. For vehicles not covered by standardised EU test procedures, comparability between different offers shall be ensured by using widely recognised test procedures, or the results of tests for the authority, or in the absence of these, information supplied by the manufacturer. ***The contracting authority or entity can require the results of tests done in the specific traffic conditions of the corresponding urban community taking into account the load capacity.***

Justification

The results of tests might not take into account the load and the traffic conditions for the corresponding contracting authority. In order to properly compare offers, the contracting authority can require the results of tests done in the specific traffic conditions of the corresponding urban community, taking into account the load capacity.

Amendment 18

Proposal for a directive Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Supply of fuels

Member States shall ensure that the necessary facilities are in place in order to supply fuels of every type specified in the

Annex.

Amendment 19

Proposal for a directive
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Standardised test procedures

The Commission shall adopt implementing measures in order to standardise test procedures for vehicles not covered by the standardised EU test procedures referred to in Article 3(2). These measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 5(2).

Justification

In the absence of standardised EU test procedures for certain vehicles, the Commission should facilitate the objectives and the implementation of the measures provided under this directive. The new regulatory procedure with scrutiny shall be applied for the adoption of the implementing measures.

Amendment 20

Proposal for a directive
Article 4 b (new)

Text proposed by the Commission

Amendment

Article 4b

Accompanying measures

Public authorities may encourage the improvement of urban traffic management through specific infrastructure components aiming to make public transportation more efficient.

Justification

The amendment aims to provide, through accompanying measures, for conditions necessary for the implementation of certain measures or infrastructure components related to this directive, such as special road traffic paths or signalling.

Amendment 21

Proposal for a directive Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Exchanges and dissemination of information

- 1. Member States shall inform national, regional or local contracting authorities and contracting entities which provide public passenger transport services under licence, permit or authorisation granted by public authorities of the provisions of this Directive, along with the national laws transposing it, and shall likewise provide every assistance, and all necessary information, concerning the Community funding schemes applicable to the tendering procedures covered by this Directive.***
- 2. The Commission shall encourage the dissemination of best practice to enable policies to be drawn up in the area of clean and energy-efficient public transport services, by setting up a European Internet site, in order to move gradually towards the application of standardised Community-wide criteria to the procurement of vehicles by the entities covered by this Directive.***
- 3. The Commission shall insert in the Internet site all relevant information related to the financial instruments available in the individual Member States for urban mobility and for the promotion***

of clean and energy-efficient road transport vehicles.

Justification

It is important to provide the relevant information to contracting authorities in order to better prepare for the acquisitions due to the fact that the 'green' award criteria will be new, in addition to the provisions of the Directives 2004/17/EC and 2004/18EC.

Amendment 22

**Proposal for a directive
Article 5 b (new)**

Text proposed by the Commission

Amendment

Article 5b

Use of EC financial instruments

1. Member States and the Commission shall take into account, during the strategic follow-up and mid-term review of the national strategic reference frameworks and national and regional operational programmes, as defined by Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund, the eligibility of urban mobility and the promotion of clean and energy-efficient road transport vehicles.

2. Member States and the Commission will continue to support urban transport initiatives such as the CIVITAS programme and the Intelligent Energy-Europe programme.

Justification

The mid-term review of the national operational programmes could facilitate the promotion of clean and energy-efficient vehicles through better use of the different financial instruments available at national level as well as at Community level

PROCEDURE

Title	Promotion of clean road transport vehicles
References	COM(2007)0817 – C6-0008/2008 – COM(2005)0634 – C6-0008/2006 – 2005/0283(COD)
Committee responsible	ENVI
Opinion by Date announced in plenary	TRAN
Drafts(wo)man Date appointed	Silvia-Adriana Țicău 13.2.2008
Discussed in committee	6.5.2008 28.5.2008
Date adopted	29.5.2008
Result of final vote	+ : 27 - : 0 0 : 0
Members present for the final vote	Inés Ayala Sender, Paolo Costa, Arūnas Degutis, Petr Duchoň, Saïd El Khadraoui, Robert Evans, Emanuel Jardim Fernandes, Francesco Ferrari, Brigitte Fouré, Mathieu Grosch, Georg Jarzembowski, Timothy Kirkhope, Sepp Kusstatscher, Jörg Leichtfried, Marian-Jean Marinescu, Erik Meijer, Willi Piecyk, Paweł Bartłomiej Piskorski, Luís Queiró, Reinhard Rack, Brian Simpson, Yannick Vaugrenard
Substitute(s) present for the final vote	Nathalie Griesbeck, Zita Gurmai, Leopold Józef Rutowicz
Substitute(s) under Rule 178(2) present for the final vote	Rovana Plumb, Bart Staes