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

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**2017/0114(COD)**

9.01.2018

## **DRAFT OPINION**

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

for the Committee on Transport and Tourism

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)0275 – C8-0171/2017 – 2017/0114(COD))

Rapporteur (\*): Seb Dance

(\*) Associated committee – Rule 54 of the Rules of Procedure

PA\_Legam

## SHORT JUSTIFICATION

Directive 1999/62/EC provides the legal framework for charging heavy goods vehicles (HGVs) for the use of certain roads. It does not oblige Member States to introduce charges but provides minimum requirements for the way infrastructure charges should be set.

According to the European Environment Agency (EEA), road transport is the largest source of greenhouse gas (GHG) emissions in the EU. While transport at large is responsible for 23% of total CO<sub>2</sub> emissions in the EU, road transport accounts for 72% of these. The highest share of these emissions (over 60%) originates from passenger cars, while those of heavy-goods vehicles (HGVs) are increasing. Under current trends, emission reductions from the road transport sector will not be sufficient to achieve the EU's 2030 and 2050 climate targets.

The cost of air pollutant emissions generated by road transport represent another significant cost to society. According to the EEA, air pollution is responsible for around 500,000 premature deaths each year in the EU, with emissions from road transport being the main contributor.

With growing demand for transport, congestion is an increasingly significant issue, which result in considerable economic, social and environmental costs including delays, fuel waste, and additional CO<sub>2</sub> and pollutant emissions, which together amount to 1-2% of EU GDP. Although the current Directive includes the possibility to charge for the external costs road transport, this provision has hardly been used.

In its 2011 White Paper 'Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system', the Commission set a deadline of 2020 to "*proceed to the full and mandatory internalisation of external costs (including noise, local pollution and congestion on top of the mandatory recovery of wear and tear costs) for road and rail transport*". On current trends the EU is a long way from achieving this objective.

Overall your rapporteur welcomes the aims of the Commission's proposal: to promote financially and environmentally sustainable road transport through wider application of the 'user pays' and 'polluter pays' principles. My opinion aims to ensure that efficient and fair road pricing can contribute to the EU's efforts to cut both CO<sub>2</sub> and pollutant emissions by better implementing the 'polluter pays' principle and helping to accelerate the transition to clean and zero-emission mobility.

### Scope

The current Directive only covers HGVs but the Commission proposes extending the legal framework to all heavy-duty vehicles (HDVs) - buses and coaches - and light-duty vehicles (LDVs) - passenger cars and vans. Your rapporteur supports this extension of the scope. Buses, coaches, cars and vans do not provide sufficient contributions via road charges, even though these vehicles account for a significant share of transport activity and are responsible for a large part of the impact on wear and tear of infrastructure (and other external costs).

To encourage fair and efficient pricing your rapporteur proposes to separate passenger vehicles and vans intended for the carriage of goods so that tolls for HDVs that start from 3.5

tonnes also apply to large vans used in transport. Large vans are increasingly used to transport freight in order to bypass rules applying to HDVs.

#### **Infrastructure charge: Distance-based vs. time-based**

Your rapporteur welcomes the proposal to phase out time-based road charging (vignettes) as it does not reflect actual road use and encourages drivers to drive more during the time they have paid for. Distance-based tolls on the other hand are proportional to road use and better implement the polluter and user pays principles.

Your rapporteur proposes to bring forward the dates for phasing out of vignettes for both HDVs, including vans carrying freight, and LDVs as doing so will to accelerate the internalisation of external-costs from road transport and accelerate the application of the polluter pays principle.

#### **External-costs**

Road transport is the source of significant external costs including climate change, air pollution and noise. Currently these costs are only partly borne by the sector. While your rapporteur welcomes the Commission's proposal to extend mandatory external-cost charging to HDVs on the most polluted parts of the road network, this is insufficient to achieve the stated aim of mandatory internalisation of external costs for road transport.

Your rapporteur thus proposes to make the application of an external-cost charge, related to the cost of air and noise pollution, mandatory on the entire road network subject to an infrastructure charge. To facilitate more efficient pricing and the transition to cleaner vehicles, the reference values in Annex IIb have been changed to binding minimum values for charging for the cost of air and noise pollution.

#### **Zero-emission mobility**

Road charging can be an effective demand-side tool to help facilitate the uptake of zero-emission vehicles (ZEVs). In order to accelerate the transition to zero-emission mobility, your rapporteur proposes to maintain the 75% discount for ZEVs, but independently of the entry into force of implementing Regulation (EU) No 595/2009.

Your rapporteur also proposes to delete the four year exemption from the external cost charge for vehicles of the highest Euro class. Not only would this exemption cease to be relevant for Euro VI vehicles but removing the exemption for future Euro classes will also accelerate the uptake of ZEVs.

#### **Earmarking of revenues**

Road charges mobilise resources that should contribute to the financing of the maintenance and development of transport infrastructure, reducing road transport pollution at source and facilitating the production and uptake of zero emission vehicles.

## AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Transport and Tourism, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a directive

##### Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) In that White Paper, the Commission sets a deadline of 2020 to "proceed to the full and mandatory internalisation of external costs (including noise, local pollution and congestion on top of the mandatory recovery of wear and tear costs) for road and rail transport".***

Or. en

### Amendment 2

#### Proposal for a directive

##### Recital 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) In order to ensure the proportionality of charging, it is important to differentiate between light duty vehicles intended for the carriage of people and vans intended for the carriage of goods as regulated under Regulations (EC) No 1071/2009<sup>1a</sup> and (EC) No 1072/2009<sup>1b</sup> of the European Parliament and of the Council, as well as under Regulation (EC) No 165/2014<sup>1c</sup> of the European Parliament and of the Council.***

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***<sup>1a</sup> Regulation (EC) No 1071/2009 of the European Parliament and of the Council***

*of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L 300, 14.11.2009, p.51).*

*<sup>1b</sup> Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L 300, 14.11.2009, p.72).*

*<sup>1c</sup> Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1).*

Or. en

### **Amendment 3**

#### **Proposal for a directive Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

*(5a) In order to secure user acceptance of future road charging schemes, Member States should be encouraged to take account of socio-economic factors when implementing road charging measures for passenger cars.*

Or. en

## Amendment 4

### Proposal for a directive Recital 7

#### *Text proposed by the Commission*

(7) Pursuant to Directive 1999/62/EC, an external-cost charge **may** be imposed at a level close to the social marginal cost of the usage of the vehicle in question. That method has proven to be the fairest and most efficient way to take account of negative environmental and health impacts of air pollution and noise generated by heavy duty vehicles, and would ensure a fair contribution from heavy duty vehicles to meeting EU air quality standards<sup>17</sup> and any applicable noise limits or targets. The application of such charges should therefore be facilitated.

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<sup>17</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, OJ L 152, 11.06.2008, p. 1-44

#### *Amendment*

(7) Pursuant to Directive 1999/62/EC, an external-cost charge **should** be imposed at a level close to the social marginal cost of the usage of the vehicle in question. That method has proven to be the fairest and most efficient way to take account of negative environmental and health impacts of air pollution and noise generated by heavy duty vehicles, and would ensure a fair contribution from heavy duty vehicles to meeting EU air quality standards<sup>17</sup> and any applicable noise limits or targets. The application of such charges should therefore be facilitated.

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<sup>17</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, OJ L 152, 11.06.2008, p. 1-44

Or. en

## Amendment 5

### Proposal for a directive Recital 8

#### *Text proposed by the Commission*

(8) To this effect, the maximum weighted average external-cost charges should be replaced by readily applicable **reference** values updated in light of inflation, the scientific progress made in estimating the external costs of road transport and the evolution of the fleet composition.

#### *Amendment*

(8) To this effect, the maximum weighted average external-cost charges should be replaced by readily applicable **minimum** values updated in light of inflation, the scientific progress made in estimating the external costs of road transport and the evolution of the fleet composition.

Or. en

## Amendment 6

### Proposal for a directive Recital 8 a (new)

*Text proposed by the Commission*

*Amendment*

***(8a) In order to contribute to the objective, laid out in the Commission White Paper of 28 March 2011, to proceed to the full and mandatory internalisation of external costs, the external-cost charge should be mandatory on the part of the road network subject to the infrastructure charge.***

Or. en

## Amendment 7

### Proposal for a directive Recital 8 b (new)

*Text proposed by the Commission*

*Amendment*

***(8b) Without prejudice to Article 9(1a) of Directive 1999/62/EC, Member States should be allowed to apply and maintain an external-cost charge on parts of the network that are not covered by an infrastructure charge.***

Or. en

## Amendment 8

### Proposal for a directive Recital 9

*Text proposed by the Commission*

*Amendment*

***(9) The variation of infrastructure charges according to Euro emission class has contributed to the use of cleaner***

***(9) External-cost charging should be applied more systematically, as a targeted means to recover external costs in respect***



*vehicles. However, with the renewal of vehicle fleets, the variation of charges on this basis on the inter-urban network is expected to become obsolete by the end of 2020 and should therefore be phased out by that time. From the same point in time, external-cost charging should be applied more systematically, as a targeted means to recover external **cost** in respect of situations in which it matters most.*

of situations in which it matters most.

Or. en

## Amendment 9

### Proposal for a directive Recital 12

#### *Text proposed by the Commission*

(12) In order to promote the use of the cleanest and most efficient vehicles, Member States should apply *significantly* reduced road tolls and user charges to those vehicles.

#### *Amendment*

(12) In order to promote the use of the cleanest and most efficient vehicles, Member States should apply reduced road tolls and user charges to those vehicles. *In order to accelerate the transition towards the cleanest and most efficient vehicles, it is necessary to apply these reductions independently of the entry into force of implementing Regulation (EC) No 595/2009 of the European Parliament and of the Council.*

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*<sup>1a</sup> Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009, p.1).*

Or. en

## Amendment 10

### Proposal for a directive

#### Recital 13

*Text proposed by the Commission*

(13) Road congestion, to which all motor vehicles contribute in different proportions, represents a cost of about 1% of GDP. A significant part of this cost can be attributed to interurban congestion. A specific congestion charge should therefore be allowed, on condition that it is applied to all vehicle categories. In order to be effective and proportionate, the charge should be calculated on the basis of the marginal congestion cost and differentiated according to location, time and vehicle category. In order to maximise the positive effect of congestion charges, corresponding revenues should be allocated to projects addressing the sources of the problem.

*Amendment*

(13) Road congestion, to which all motor vehicles contribute in different proportions, represents a cost of about 1% of GDP. A significant part of this cost can be attributed to interurban congestion. A specific congestion charge should therefore be allowed, ***without prejudice to Article 9(1a) of Directive 1999/62/EC, and*** on condition that it is applied to all vehicle categories. In order to be effective and proportionate, the charge should be calculated on the basis of the marginal congestion cost and differentiated according to location, time and vehicle category. In order to maximise the positive effect of congestion charges, corresponding revenues should be allocated to projects addressing the sources of the problem.

Or. en

## Amendment 11

### Proposal for a directive

#### Recital 19

*Text proposed by the Commission*

(19) Road charges ***can*** mobilise resources that contribute to the financing of the maintenance and development of high quality transport infrastructure. It is therefore appropriate ***to incentivise*** Member States to use revenues from road charges accordingly and, to this end, to require that they adequately report on the use of such revenues. That should in particular help identifying possible

*Amendment*

(19) Road charges mobilise resources that contribute to the financing of the maintenance and development of high quality transport infrastructure, ***reducing road transport pollution at source and facilitating the production and taking up of zero-emission vehicles.*** It is therefore appropriate ***for*** Member States to use revenues from road charges accordingly and, to this end, to require that they

financing gaps, and raising the public acceptance of road charging.

adequately report on the use of such revenues. That should in particular help identifying possible financing gaps, and raising the public acceptance of *distance-based* road charging.

Or. en

## Amendment 12

### Proposal for a directive Recital 21

#### *Text proposed by the Commission*

(21) It is necessary to ensure that external-cost charges continue to reflect the cost of air pollution and noise generated by heavy duty vehicles as accurately as possible without rendering the charging scheme excessively complex, to incentivise the use of the most fuel-efficient vehicles, and to keep the incentives effective and the differentiation of road charges up-to-date. Therefore, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission for the purpose of adapting the *reference* values for external cost charging to scientific progress, defining the modalities for the revenue-neutral variation of infrastructure charges according to the CO<sub>2</sub> emissions from heavy duty vehicles, and adapting the modalities of the variation of infrastructure charges for light duty vehicles to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016<sup>21</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the

#### *Amendment*

(21) It is necessary to ensure that external-cost charges continue to reflect the cost of air pollution and noise generated by heavy duty vehicles as accurately as possible without rendering the charging scheme excessively complex, to incentivise the use of the most fuel-efficient vehicles, and to keep the incentives effective and the differentiation of road charges up-to-date. Therefore, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission for the purpose of adapting the *minimum* values for external cost charging to scientific progress, defining the modalities for the revenue-neutral variation of infrastructure charges according to the CO<sub>2</sub> emissions from heavy duty vehicles, and adapting the modalities of the variation of infrastructure charges for light duty vehicles to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016<sup>21</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the

European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>21</sup> OJ L 123, 12.5.2016, p. 1.

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<sup>21</sup> OJ L 123, 12.5.2016, p. 1.

Or. en

## Amendment 13

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 1999/62/EC

Article 2 – point 19

#### *Text proposed by the Commission*

(19) ‘light duty vehicle’ means a passenger car, a minibus **or** van;

#### *Amendment*

(19) ‘light duty vehicle’ means a passenger car, a minibus, **a** van, **or a van intended for the carriage of goods**;

Or. en

## Amendment 14

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 1999/62/EC

Article 2 – point 22

#### *Text proposed by the Commission*

(22) ‘van’ means a vehicle **intended for the carriage of goods, and** having a maximum permissible mass not exceeding 3,5 tonnes;

#### *Amendment*

(22) ‘van’ means a vehicle having a maximum permissible mass not exceeding 3,5 tonnes;

Or. en

## Amendment 15

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2 (new)

Directive 1999/62/EC

Article 2 – point 22a

*Text proposed by the Commission*

*Amendment*

**(22a) 'van intended for the carriage of goods' means a category N1 Class III vehicle in accordance with Regulation (EC) No 715/2007<sup>1a</sup>, intended for the carriage of goods;**

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<sup>1a</sup> **Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p.1).**

Or. en

## Amendment 16

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 1999/62/EC

Article 7 – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. Without prejudice to paragraph 9, from 1 January 2018, Member States shall not introduce user charges for heavy duty vehicles. User charges introduced before that date may be maintained until 31 December **2023**.

6. Without prejudice to paragraph 9, from 1 January 2018, Member States shall not introduce user charges for heavy duty vehicles. User charges introduced before that date may be maintained until 31 December **2021**.

Or. en

### *Justification*

*There is no technical reason why Member States cannot phase out user charges for HDVs sooner.*

### **Amendment 17**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3**

Directive 1999/62/EC

Article 7 – paragraph 7

#### *Text proposed by the Commission*

7. From [the date of entry into force of this Directive], Member States shall not introduce user charges for light duty vehicles. User charges introduced before that date shall be phased out by 31 December **2027**.

#### *Amendment*

7. From [the date of entry into force of this Directive], Member States shall not introduce user charges for light duty vehicles. User charges introduced before that date ***for vans intended for the carriage of goods*** shall be phased out by 31 December **2021 and by 31 December 2025 for other light-duty vehicles**.

Or. en

### *Justification*

*The rapporteur considers that seven years (from the entry into force of the Directive) to be sufficient for user charging schemes for LDVs to be adapted.*

### **Amendment 18**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3**

Directive 1999/62/EC

Article 7 – paragraph 9

#### *Text proposed by the Commission*

9. As of 1 January 2020, tolls and user charges applied to heavy duty vehicles shall apply to all heavy duty vehicles.

#### *Amendment*

9. As of 1 January 2020, tolls and user charges applied to heavy duty vehicles shall apply to all heavy duty vehicles, ***as well as to all vans intended for the carriage of goods fitted with a tachograph regulated by Regulation (EU) No 165/2014***.

## Amendment 19

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 1999/62/EC

Article 7 – paragraph 10

#### *Text proposed by the Commission*

Tolls and user charges for heavy duty vehicles on the one hand and for light duty vehicles on the other may be introduced or maintained independently from one another.

#### *Amendment*

***Until 31 December 2025***, tolls and user charges for heavy duty vehicles on the one hand and for light duty vehicles on the other may be introduced or maintained independently from one another.

Or. en

#### *Justification*

*Phase out of vignettes for all vehicles by 31 December 2025*

## Amendment 20

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 1999/62/EC

Article 7c – paragraph 1

#### *Text proposed by the Commission*

Member States may maintain or introduce an external-cost charge, related to the cost of traffic-based air or noise pollution or both.

#### *Amendment*

Member States may maintain or introduce an external-cost charge, related to the cost of traffic-based air or noise pollution or both, ***for heavy-duty and light-duty vehicles***.

Or. en

## Amendment 21

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

*Text proposed by the Commission*

***For heavy duty vehicles***, the external-cost charge shall vary and be set in accordance with the minimum requirements and the methods referred to in Annex IIIa and shall ***respect the reference*** values set out in Annex IIIb.

*Amendment*

The external-cost charge shall vary and be set in accordance with the minimum requirements and the methods referred to in Annex IIIa and shall ***comply with at least the minimum*** values set out in Annex IIIb.

Or. en

**Amendment 22**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 5**

Directive 1999/62/EC

Article 7c – paragraph 3

*Text proposed by the Commission*

***3. The external-cost charge related to traffic-based air pollution shall not apply to heavy duty vehicles which comply with the most stringent of EURO emission standards.***

***The first subparagraph shall cease to apply four years from the date when the rules which introduced those standards started to apply***

*Amendment*

***deleted***

Or. en

*Justification*

*Deleting the exemption for the most stringent of EURO emission standards will further incentivise the uptake of zero-emission vehicles*

**Amendment 23**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 5**

Directive 1999/62/EC

Article 7c – paragraph 4a (new)



*Text proposed by the Commission*

*Amendment*

**4a.** *From 1 January 2021, Member States that levy tolls shall apply an external-cost charge, related to the cost of traffic-based air and noise pollution, to heavy-duty vehicles and to vans intended for the carriage of goods on all parts of the road network that are subject to an infrastructure charge.*

Or. en *Justification*

*In order to implement the 'polluter pays' principle - a stated aim of the proposal and the 2011 Transport White Paper 2011: towards a competitive and resource efficient transport system - external cost charging should be mandatory on the entire tolled road network. Air pollution can travel long distances and is just as dangerous even if emitted on parts of the network where environmental damage generated by heavy duty vehicles is lower than the average.*

## **Amendment 24**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5**

Directive 1999/62/EC

Article 7c – paragraph 4b (new)

*Text proposed by the Commission*

*Amendment*

**4b.** *From 1 January 2026 Member States shall apply or maintain the external-cost charge, related to the cost of traffic-based air and noise pollution, to all heavy-duty and light-duty vehicles on all parts of the road network that are subject to an infrastructure charge.*

Or. en

*Justification*

*Mandatory external-cost charging - which is based on distance-based measurement - should be applied in line with the application of distance-based tolls for all vehicles.*

## Amendment 25

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 1999/62/EC

Article 7c – paragraph 5

*Text proposed by the Commission*

5. ***From 1 January 2021***, Member States that levy tolls ***shall*** apply ***an*** external-cost charge to ***heavy duty*** vehicles on ***at least*** the part of the network referred to in Article 7(1) where environmental damage generated by heavy duty vehicles is higher than the average environmental damage generated by heavy duty vehicles defined in accordance with relevant reporting requirements referred to in Annex IIIa.;

*Amendment*

5. Member States that levy tolls ***may*** apply ***a higher*** external-cost charge to ***heavy-duty and light-duty*** vehicles on the part of the network referred to in Article 7(1) where environmental damage generated by heavy duty vehicles ***and vans intended for the carriage of goods*** is higher than the average environmental damage generated by heavy duty vehicles ***and vans intended for the carriage of goods*** defined in accordance with relevant reporting requirements referred to in Annex IIIa.;

Or. en

## Amendment 26

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive 1999/62/EC

Article 7c – paragraph 5a (new)

*Text proposed by the Commission*

*Amendment*

***5a. Member States may apply or maintain an external-cost charge related to the cost of traffic-based air or noise pollution on parts of the road network that are not covered by an infrastructure charge.***

Or. en

## Amendment 27

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7

Directive 1999/62/EC

Article 7g – paragraph 4 – subparagraph 2

#### *Text proposed by the Commission*

Within one year from the entry into force of the delegated act, Member States shall vary the infrastructure charge taking into account the reference CO<sub>2</sub> emission values and the relevant vehicle categorisation. Charges shall be varied in such a way that no infrastructure charge is more than 100% above the same charge for equivalent vehicles having the lowest, but not zero, CO<sub>2</sub> emissions. Zero-emission vehicles shall benefit from infrastructure charges reduced by 75% compared to the highest rate.

#### *Amendment*

Within one year from the entry into force of the delegated act, Member States shall vary the infrastructure charge taking into account the reference CO<sub>2</sub> emission values and the relevant vehicle categorisation. Charges shall be varied in such a way that no infrastructure charge is more than 100% above the same charge for equivalent vehicles having the lowest, but not zero, CO<sub>2</sub> emissions. ***From the entry into force of this Directive***, zero-emission vehicles shall benefit from infrastructure charges reduced by 75 % compared to the highest rate.

Or. en

#### *Justification*

*To clarify that the 75% ZEV discount can be applied before the relevant delegated act to define the reference values of CO<sub>2</sub> emissions, together with an appropriate categorisation of the heavy duty vehicles concerned, is adopted.*

## Amendment 28

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7

Directive 1999/62/EC

Article 7g – paragraph 4 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***4a. The Commission shall produce an evaluation report assessing the market share of zero-emission vehicles [OJ: please insert the date: five years after the entry into force of this Directive] The Commission is empowered to adopt, if appropriate, a delegated act, in***

*accordance with Article 9e, to recalculate the discount applicable to zero-emission vehicles compared to the highest rate infrastructure charge.*

Or. en

*Justification*

*To ensure fair pricing and stable revenue for investment.*

**Amendment 29**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 8**

Directive 1999/62/EC

Article 7ga – paragraph 2

*Text proposed by the Commission*

2. From 1 January 2022 Member States shall vary tolls and, in the case of user charges, at least **annual** charges, according to the CO<sub>2</sub> and pollutant emissions of vehicles in accordance with the rules set out in Annex VII.

*Amendment*

2. From 1 January 2022 Member States shall vary tolls and, in the case of user charges, at least **monthly** charges, according to the CO<sub>2</sub> and pollutant emissions of vehicles in accordance with the rules set out in Annex VII.

Or. en

**Amendment 30**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 8**

Directive 1999/62/EC

Article 7ga – paragraph 3a (new)

*Text proposed by the Commission*

*Amendment*

**3a. From [date of entry into force of this Directive], zero-emission light-duty vehicles shall benefit from infrastructure charges reduced by 75 % compared to the highest rate**

Or. en

## Amendment 31

### Proposal for a directive

#### Article 1 – paragraph 1 – point 14 - point (-a) (new)

Directive 1999/62/EC

Article 9 – paragraph 2 – subparagraph 1

#### *Present text*

***“Member States shall determine the use of revenues generated by this Directive.***

To enable the transport network to be developed as a whole, revenues generated from infrastructure and external costs charges, or the equivalent in financial value of these revenues, ***should*** be used to benefit the transport sector, and optimise the entire transport system. In particular, revenues generated from external cost charges, or the equivalent in financial value of these revenues, should be used to make transport more sustainable, including one or more of the following:

- (a) facilitating efficient pricing;
- (b) reducing road transport pollution at source;
- (c) mitigating the effects of road transport pollution at source;
- (d) improving the CO<sub>2</sub> and energy performance of vehicles;
- (e) developing alternative infrastructure for transport users and/or expanding current capacity;
- (f) supporting ***the trans-European transport network***;
- (g) ***optimising logistics***;

#### *Amendment*

***(-a) in paragraph 2, the first subparagraph is replaced by the following:***

“To enable the transport network to be developed as a whole, revenues generated from infrastructure and external costs charges, or the equivalent in financial value of these revenues, ***shall*** be used to benefit the transport sector, and optimise the entire transport system. In particular, revenues generated from external cost charges, or the equivalent in financial value of these revenues, shall be used to make transport more sustainable, including one or more of the following:

- (a) facilitating efficient pricing;
- (b) reducing road transport pollution at source;
- (c) mitigating the effects of road transport pollution at source;
- (d) improving the CO<sub>2</sub> and energy performance of vehicles;
- (e) developing alternative infrastructure for transport users and/or expanding current capacity;
- (f) supporting ***and enhancing the development of electro-mobility including infrastructure to transfer electricity to vehicles***;
- (g) ***supporting collective modes of transport.***”

- (h) *improving road safety; and*
- (i) *providing secure parking places.*

Or. en

## Amendment 32

### Proposal for a directive

#### Article 1 – paragraph 1 – point 15

Directive 1999/62/EC

Article 9e – paragraph 2

#### *Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Article 7g(4), Article 7ga(4) and Article 9d shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this Directive].

#### *Amendment*

2. The power to adopt delegated acts referred to in Article 7g(4), Article 7ga(4) and Article 9d shall be conferred on the Commission for *a* period of *5 years* from [date of entry into force of this Directive]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

## Amendment 33

### Proposal for a directive

#### Annex I – point 1 – point b – point i – indent 1

Directive 1999/62/EC

Annex III – section 2 – point 2.1 – indent 6

#### *Text proposed by the Commission*

- Costs shall be apportioned to heavy duty vehicles on an objective and

#### *Amendment*

- Costs shall be apportioned to heavy *duty and light* duty vehicles on an

transparent basis taking account of the proportion of **heavy duty** vehicle traffic to be carried on the network and the associated costs. The vehicle kilometres travelled by heavy duty vehicles may for this purpose be adjusted by objectively justified ‘equivalence factors’ such as those set out in point 4 (\*).

objective and transparent basis taking account of the proportion of **different** vehicle traffic to be carried on the network and the associated costs. The vehicle kilometres travelled by heavy duty vehicles may for this purpose be adjusted by objectively justified ‘equivalence factors’ such as those set out in point 4 (\*).

Or. en

## Amendment 34

### Proposal for a directive

#### Annex I – point 1 – point b – point i – indent 2

Directive 1999/62/EC

Annex III – section 2 – point 2.2 – indent 2

#### *Text proposed by the Commission*

- Such costs shall be apportioned between heavy duty vehicles and other **traffic** on the basis of actual and forecast shares of vehicle kilometres and may be adjusted by objectively justified equivalence factors such as those set out in point 4.

#### *Amendment*

- Such costs shall be apportioned between heavy duty vehicles and other **light duty vehicles** on the basis of actual and forecast shares of vehicle kilometres and may be adjusted by objectively justified equivalence factors such as those set out in point 4.

Or. en

## Amendment 35

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – Title

#### *Text proposed by the Commission*

MINIMUM REQUIREMENTS FOR  
LEVYING AN EXTERNAL-COST  
CHARGE

#### *Amendment*

MINIMUM REQUIREMENTS FOR  
LEVYING A **HIGHER** EXTERNAL-  
COST CHARGE

Or. en

## Amendment 36

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – introductory part

#### *Text proposed by the Commission*

This Annex sets out the minimum requirements for levying **an** external-cost charge and, where applicable, for calculating the maximum external-cost charge.

#### *Amendment*

This Annex sets out the minimum requirements for levying **a higher** external-cost charge ***compared to the minimum values set out in Annex IIIb*** and, where applicable, for calculating the maximum external-cost charge.

Or. en

## Amendment 37

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – part 1 – paragraph 1

#### *Text proposed by the Commission*

The Member State shall specify precisely the part or parts of their road network which are to be subject to **an** external-cost charge.

#### *Amendment*

The Member State shall specify precisely the part or parts of their road network which are to be subject to **a higher** external-cost charge ***compared to the minimum values set out in Annex IIIb***.

Or. en

## Amendment 38

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – part 1 – paragraph 2 – introductory part



*Text proposed by the Commission*

Where a Member State intends to levy **an** external-cost charge on only a part or parts of the road network composed of its share in the trans-European network and of its motorways, the part or parts shall be chosen after an assessment establishing that:

*Amendment*

Where a Member State intends to levy **a higher** external-cost charge on only a part or parts of the road network composed of its share in the trans-European network and of its motorways, the part or parts shall be chosen after an assessment establishing that:

Or. en

**Amendment 39**

**Proposal for a directive**

**Annex I – point 1 – point c**

Directive 1999/62/EC

Annex IIIa – part 1 – paragraph 2 – indent 1

*Text proposed by the Commission*

- vehicles' use of the roads where the external-cost charge is applied generates environmental damage higher than that generated on average assessed in accordance with air quality reporting, national emissions inventories, traffic volumes and, for noise, in accordance with Directive 2002/49/EC, or

*Amendment*

- vehicles' use of the roads where the **higher** external-cost charge is applied generates environmental damage higher than that generated on average assessed in accordance with air quality reporting, national emissions inventories, traffic volumes and, for noise, in accordance with Directive 2002/49/EC, or

Or. en

**Amendment 40**

**Proposal for a directive**

**Annex I – point 1 – point c**

Directive 1999/62/EC

Annex IIIa – part 1 – paragraph 2 – indent 2

*Text proposed by the Commission*

- the imposition of **an** external-cost charge on other parts of the road network thus composed might have adverse effects

*Amendment*

- the imposition of **a higher** external-cost charge on other parts of the road network thus composed might have

on the environment or road safety, or levying and collecting **an** external-cost charge on them would entail disproportionate cost.

adverse effects on the environment or road safety, or levying and collecting **a higher** external-cost charge on them would entail disproportionate cost.

Or. en

## Amendment 41

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – part 2 – paragraph 1

#### *Text proposed by the Commission*

Where a Member State intends to apply higher external-cost charges than the **reference** values specified in Annex IIIb, it shall notify the Commission of the classification of vehicles according to which the external-cost charge shall vary. It shall also notify the Commission of the location of roads subject to higher external-cost charges (called hereafter ‘suburban roads (including motorways)’), and of roads subject to **lower** external-cost charges (called hereafter ‘interurban roads (including motorways)’).

#### *Amendment*

Where a Member State intends to apply higher external-cost charges than the **minimum** values specified in Annex IIIb, it shall notify the Commission of the classification of vehicles according to which the external-cost charge shall vary. It shall also notify the Commission of the location of roads subject to higher external-cost charges (called hereafter ‘suburban roads (including motorways)’), and of roads subject to **minimum** external-cost charges (called hereafter ‘interurban roads (including motorways)’).

Or. en

## Amendment 42

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – part 3 – paragraph 1

#### *Text proposed by the Commission*

This section shall apply where a Member State intends to apply higher external cost charges than the **reference** values specified in Annex IIIb.

#### *Amendment*

This section shall apply where a Member State intends to apply higher external cost charges than the **minimum** values specified in Annex IIIb.

## Amendment 43

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – part 4 – point 4.1 – introductory part

#### *Text proposed by the Commission*

Where a Member State intends to apply higher external-cost charges than the **reference** values specified in Annex IIIb, that Member State or, where appropriate, an independent authority shall calculate the chargeable cost of traffic-based air pollution by applying the following formula:

#### *Amendment*

Where a Member State intends to apply higher external-cost charges than the **minimum** values specified in Annex IIIb, that Member State or, where appropriate, an independent authority shall calculate the chargeable cost of traffic-based air pollution by applying the following formula:

Or. en

## Amendment 44

### Proposal for a directive

#### Annex I – point 1 – point c

Directive 1999/62/EC

Annex IIIa – part 4 – point 4.2 – introductory part

#### *Text proposed by the Commission*

Where a Member State intends to apply higher external-cost charges than the **reference** values specified in Annex IIIb, the Member State or, where appropriate, an independent authority shall calculate the chargeable cost of traffic-based noise pollution by applying the following formulae:

#### *Amendment*

Where a Member State intends to apply higher external-cost charges than the **minimum** values specified in Annex IIIb, the Member State or, where appropriate, an independent authority shall calculate the chargeable cost of traffic-based noise pollution by applying the following formulae:

Or. en

## Amendment 45

**Proposal for a directive**  
**Annex I – point 1 – point d**  
Directive 1999/62/EC  
Annex IIIb – Title

*Text proposed by the Commission*

**REFERENCE** VALUES OF THE  
EXTERNAL-COST CHARGE

*Amendment*

**MINIMUM** VALUES OF THE  
EXTERNAL-COST CHARGE

Or. en

## Amendment 46

**Proposal for a directive**  
**Annex I – point 1 – point d**  
Directive 1999/62/EC  
Annex IIIb – introductory part

*Text proposed by the Commission*

This Annex sets out **reference** values of the external-cost charge, including the cost of air pollution and noise.

*Amendment*

This Annex sets out **minimum** values of the external-cost charge, including the cost of air pollution and noise.

Or. en

## Amendment 47

**Proposal for a directive**  
**Annex I – point 1 – point d**  
Directive 1999/62/EC  
Annex IIIb – Table 1 – title

*Text proposed by the Commission*

Table 1: **reference** values of the external-cost charge for heavy goods vehicles

*Amendment*

Table 1: **minimum** values of the external-cost charge for heavy goods vehicles

Or. en

## Amendment 48

### Proposal for a directive

#### Annex I – point 1 – point d

Directive 1999/62/EC

Annex IIIb – Table 2 – title

*Text proposed by the Commission*

*Amendment*

Table 2: **reference** values of the external-cost charge for coaches

Table 2: **minimum** values of the external-cost charge for coaches

Or. en

## Amendment 49

### Proposal for a directive

#### Annex I – point 1 – point d

Directive 1999/62/EC

Annex IIIb – Table 3 (new)

*Text proposed by the Commission*

*Amendment*

**Table 3: minimum values of the external-cost charge for passenger cars:**

| <i>Vehicle</i>    | <i>Engine</i>   | <i>EURO-Class</i> | <i>Suburban</i> | <i>Interurban</i> |
|-------------------|-----------------|-------------------|-----------------|-------------------|
| <i>Car diesel</i> | <i>&lt;1.4l</i> | <i>Euro 2</i>     | <i>1,9</i>      | <i>0,9</i>        |
|                   |                 | <i>Euro 3</i>     | <i>1,6</i>      | <i>0,9</i>        |
|                   |                 | <i>Euro 4</i>     | <i>1,3</i>      | <i>0,7</i>        |
|                   |                 | <i>Euro 5</i>     | <i>0,9</i>      | <i>0,5</i>        |
|                   |                 | <i>Euro 6</i>     | <i>0,6</i>      | <i>0,3</i>        |
|                   | <i>1.4-2.0l</i> | <i>Euro 0</i>     | <i>3,6</i>      | <i>1,0</i>        |
|                   |                 | <i>Euro 1</i>     | <i>1,9</i>      | <i>0,9</i>        |
|                   |                 | <i>Euro 2</i>     | <i>1,8</i>      | <i>0,8</i>        |
|                   |                 | <i>Euro 3</i>     | <i>1,7</i>      | <i>0,9</i>        |
|                   |                 | <i>Euro 4</i>     | <i>1,4</i>      | <i>0,7</i>        |
|                   |                 | <i>Euro 5</i>     | <i>0,9</i>      | <i>0,5</i>        |
|                   |                 | <i>Euro 6</i>     | <i>0,6</i>      | <i>0,3</i>        |
|                   | <i>&gt;2.0l</i> | <i>Euro 0</i>     | <i>3,9</i>      | <i>1,3</i>        |
|                   |                 | <i>Euro 1</i>     | <i>1,9</i>      | <i>0,9</i>        |

|                   |          |               |            |            |
|-------------------|----------|---------------|------------|------------|
| <i>Car petrol</i> |          | <i>Euro 2</i> | <i>1,8</i> | <i>0,9</i> |
|                   |          | <i>Euro 3</i> | <i>1,7</i> | <i>0,9</i> |
|                   |          | <i>Euro 4</i> | <i>1,4</i> | <i>0,7</i> |
|                   |          | <i>Euro 5</i> | <i>0,9</i> | <i>0,5</i> |
|                   |          | <i>Euro 6</i> | <i>0,6</i> | <i>0,3</i> |
|                   | <1.4l    | <i>Euro 0</i> | <i>3,7</i> | <i>2,4</i> |
|                   |          | <i>Euro 1</i> | <i>1,0</i> | <i>0,4</i> |
|                   |          | <i>Euro 2</i> | <i>0,7</i> | <i>0,3</i> |
|                   |          | <i>Euro 3</i> | <i>0,5</i> | <i>0,2</i> |
|                   |          | <i>Euro 4</i> | <i>0,5</i> | <i>0,2</i> |
|                   |          | <i>Euro 5</i> | <i>0,5</i> | <i>0,2</i> |
|                   |          | <i>Euro 6</i> | <i>0,5</i> | <i>0,2</i> |
|                   | 1.4-2.0l | <i>Euro 0</i> | <i>3,9</i> | <i>3,0</i> |
|                   |          | <i>Euro 1</i> | <i>1,1</i> | <i>0,4</i> |
|                   |          | <i>Euro 2</i> | <i>0,7</i> | <i>0,3</i> |
|                   |          | <i>Euro 3</i> | <i>0,5</i> | <i>0,2</i> |
|                   |          | <i>Euro 4</i> | <i>0,5</i> | <i>0,2</i> |
|                   |          | <i>Euro 5</i> | <i>0,4</i> | <i>0,2</i> |
|                   |          | <i>Euro 6</i> | <i>0,4</i> | <i>0,2</i> |
|                   | >2.0l    | <i>Euro 0</i> | <i>4,0</i> | <i>3,0</i> |
|                   |          | <i>Euro 1</i> | <i>1,0</i> | <i>0,4</i> |
|                   |          | <i>Euro 2</i> | <i>0,5</i> | <i>0,3</i> |
|                   |          | <i>Euro 3</i> | <i>0,5</i> | <i>0,2</i> |
|                   |          | <i>Euro 4</i> | <i>0,5</i> | <i>0,2</i> |
|                   |          | <i>Euro 5</i> | <i>0,4</i> | <i>0,2</i> |
|                   |          | <i>Euro 6</i> | <i>0,4</i> | <i>0,2</i> |

Or. en

## Amendment 50

**Proposal for a directive**  
**Annex I – point 1 – point d**  
 Directive 1999/62/EC  
 Annex IIIb – Table 4 (new)

*Text proposed by the Commission*

### *Amendment*

**Table 4: minimum values of the external-cost charge for vans intended for the carriage of goods:**

| <i>Vehicle</i>          | <i>EURO-Class</i> | <i>Suburban</i> | <i>Interurban</i> |
|-------------------------|-------------------|-----------------|-------------------|
| <i>Van intended for</i> | <i>Euro 1</i>     | <i>2,4</i>      | <i>0,7</i>        |

|  |               |            |            |
|--|---------------|------------|------------|
| <i>the carriage of<br/>goods petrol</i>                      | <i>Euro 2</i> | <i>1,9</i> | <i>0,4</i> |
|  | <i>Euro 3</i> | <i>1,8</i> | <i>0,4</i> |
|  | <i>Euro 4</i> | <i>1,7</i> | <i>0,3</i> |
|  | <i>Euro 5</i> | <i>1,6</i> | <i>0,3</i> |
|  | <i>Euro 6</i> | <i>1,6</i> | <i>0,3</i> |
| <i>Van intended for<br/>the carriage of<br/>goods diesel</i> | <i>Euro 1</i> | <i>4,0</i> | <i>1,7</i> |
|  | <i>Euro 2</i> | <i>4,1</i> | <i>1,7</i> |
|  | <i>Euro 3</i> | <i>3,5</i> | <i>1,3</i> |
|  | <i>Euro 4</i> | <i>3,0</i> | <i>1,1</i> |
|  | <i>Euro 5</i> | <i>2,2</i> | <i>0,8</i> |
|  | <i>Euro 6</i> | <i>1,9</i> | <i>0,5</i> |

Or. en

## Amendment 51

**Proposal for a directive**  
**Annex I – point 1 – point d**  
 Directive 1999/62/EC  
 Annex V – Table 2

### *Text proposed by the Commission*

Table 2: Equivalence factors for establishing the proportion between congestion charge levels for different vehicle categories

| <b>Vehicle category</b>          | <b>Equivalence factor</b> |
|----------------------------------|---------------------------|
| Light duty vehicles              | 1                         |
| Rigid heavy goods vehicles       | 1.9                       |
| Buses and coaches                | <b>2.5</b>                |
| Articulated heavy goods vehicles | 2.9                       |

### *Amendment*

Table 2: Equivalence factors for establishing the proportion between congestion charge levels for different vehicle categories

| <b>Vehicle category</b>    | <b>Equivalence factor</b> |
|----------------------------|---------------------------|
| Light duty vehicles        | 1                         |
| Rigid heavy goods vehicles | 1,9                       |
| Buses and coaches          | <b>1,5</b>                |

Articulated heavy goods vehicles

2,9

Or. en