

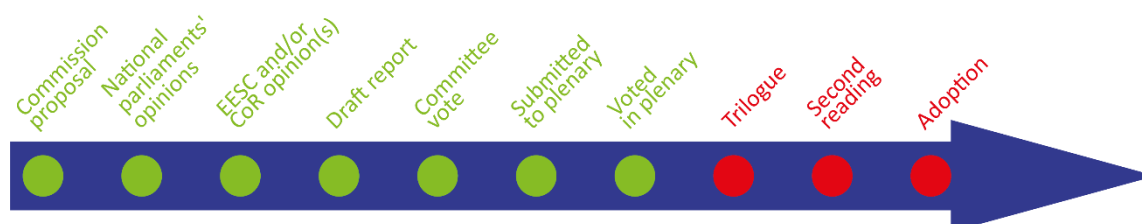
Revision of the Eurovignette Directive

OVERVIEW

The Commission adopted a legislative proposal for a directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (known as the Eurovignette Directive) in May 2017.

The proposal was presented within the context of the Commission's 'Europe on the move' package that sought to modernise mobility and transport and included several legislative proposals. The objective of the Eurovignette proposal, which would substantially amend the existing legislation by extending the scope of vehicles covered, is to make progress in the application of the 'polluter pays' and 'user pays' principles. The Committee on Transport and Tourism (TRAN) of the European Parliament, in charge of the file, adopted its report on 24 May 2018 and the Parliament adopted its first-reading position on 25 October 2018. After the 2019 European elections, the TRAN committee voted in favour of opening negotiations with the Council. The Council, on its side, started discussions on the proposal at the end of 2017 and after a standstill of one year, resumed them in 2019. After several compromise proposals and improvements by the Croatian and German Presidencies, the Council approved its negotiating mandate on the proposal on 18 December 2020. Interinstitutional negotiations began at the end of January 2021 and are expected to be complicated.

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		
<i>Committee responsible:</i>	Transport and Tourism (TRAN)	COM(2017) 275 31.5.2017
<i>Rapporteur:</i>	Giuseppe Ferrandino (S&D, Italy)	2017/0114(COD)
<i>Shadow rapporteurs:</i>	Barbara Thaler (EPP, Austria) Dominique Riquet (Renew, France) Anna Deparnay-Grünenberg (Greens/EFA, Germany) Roman Haider (ID, Austria) Tomasz Piotr Poręba (ECR, Poland) João Ferreira (The Left, Portugal)	Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	Continuing trilogue negotiations	



Introduction

The issue of road charging and its impact on, or contribution to, the decarbonisation of transport or the shift to more sustainable transport has been recognised for some time by European Union (EU) institutions. As early as 2011, the Commission's [white paper on transport](#) called for a move towards full application of 'user pays' and 'polluter pays' principles as a means to achieve a competitive and resource-efficient transport system.

The current initiative fits within the [energy union strategy](#) that envisages a comprehensive road transport package promoting more efficient pricing of infrastructure, the roll-out of intelligent transport solutions and enhanced energy efficiency. It also builds on the 2016 Commission [European strategy for low-emission mobility](#), which specifically mentioned that 'charging should move towards distance-based road charging systems based on actual kilometres driven, to reflect better the polluter-pays and user-pays principles', and that the Commission would 'revise the directive on the charging for lorries to enable charging also on the basis of carbon dioxide differentiation, and extend some of its principles to buses and coaches as well as passenger cars and vans'. The low-emission mobility strategy also noted that the Commission was developing standards for interoperable electronic tolling systems in the EU, seeking to ease access to markets for new tolling service providers and to reduce overall system costs.

On 31 May 2017, the Commission adopted a [proposal](#) for a directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (known as the Eurovignette Directive), together with the [impact assessment](#) and its [summary](#). The proposal was presented within the context of the Commission's '[Europe on the move](#)' package that seeks to modernise mobility and transport. This package includes several legislative proposals, among which are found the parent proposal on the [interoperability of electronic road toll systems](#) and facilitating cross-border exchange of information on the failure to pay road fees in the Union (a recast of Directive [2004/52/EC](#)), proposal which was adopted by the two co-legislators and published in the [Official Journal](#) on 29 March 2019.

The [2017 Commission work programme](#) announced the revision of the Eurovignette and the European Electronic Toll Service (EETS) Directives.

Proposal to amend Directive 1999/62/EC on vehicle taxation

Together with the proposal presented in this briefing (COM(2017) 275), on 31 May 2017, the Commission also adopted, a [proposal](#) for a Council directive amending Directive 1999/62/EC focusing on certain provisions on vehicle taxation (COM(2017) 276). The purpose of this second proposal is to amend Chapter II of the Directive related to heavy goods vehicle taxes, to give Member States more scope to lower vehicle taxes. It consists of a gradual reduction of the minima to zero, in five steps taken over five consecutive years and each accounting for 20 % of the current minima. The intention is to provide for an incentive to move to distance-based road charging, i.e. the application of tolls. The legislative proposal was assigned to the European Parliament's Committee on Transport and Tourism, which designated Deirdre Clune (EPP, Ireland) as [rapporteur](#). Based on Article 113 of the Treaty on the Functioning of the European Union (TFEU), the proposal follows the consultation procedure, meaning that the Council adopts the act after consulting the European Parliament and without being compelled to follow its opinion. On 4 July 2018, the European Parliament, in plenary, adopted a legislative [resolution](#) on that proposal.

The legislative proposal to amend the Eurovignette Directive fits well with the new EU growth strategy, the [European Green Deal](#), which was adopted by the Commission in the subsequent legislative period, on 12 December 2019, and which strives to build a resource-efficient economy. The Green Deal supports, among other things, a quicker shift to sustainable mobility. The revision of the Eurovignette Directive is also in line with the [sustainable and smart mobility strategy, put forward](#) on 9 December 2020 by the Commission. Aiming to deliver a 90 % reduction in transport emissions by 2050, it proposes to introduce a better carbon-pricing policy and make progress on

effective charging on infrastructure use. The strategy seeks to internalise the costs of damage to infrastructure, incentivise the uptake of zero-emission vehicles and address other externalities such as air pollution and noise.

Existing situation

The legal framework for charging heavy goods vehicles (HGV)¹ for the use of certain roads is known as the Eurovignette Directive ([Directive 1999/62/EC](#) on the charging of heavy goods vehicles for the use of certain infrastructures). As indicated by its title, it only applies to HGVs, i.e. trucks or lorries over a certain laden weight, while other types of vehicles do not fall within the scope of the directive.

Its objective is to eliminate distortions of competition between transport companies by introducing a step-by-step harmonisation of vehicle taxes, and establishing fair mechanisms for infrastructure charging.

As indicated in the European Commission's [impact assessment](#), the Eurovignette Directive did not oblige Member States to introduce user charges for HGVs, but set minimum levels of vehicle taxes for HGVs (with a maximum permissible laden weight of not less than 12 tonnes), and specified the modalities of infrastructure charging, including the variation of charges according to the environmental performance of vehicles. It notably indicated that if infrastructure charges are implemented, they must be related to the construction, operation, and infrastructure development cost and in doing so, laid down the [foundations](#) for the internalisation of the costs generated by HGVs.

The 'Eurovignette' Directive was first amended in 2006 ([Directive 2006/38/EC](#)) to include vehicles with a maximum permissible laden weight over 3.5 tonnes within its scope (although allowing for a possibility of exempting vehicles between 3.5 and 12 tonnes), and to allow greater possibilities to vary tolls according to environmental or traffic management objectives.

The Directive was amended again in 2011 ([Directive 2011/76/EU](#)), to give Member States the possibility to apply external cost charges related to traffic-based air pollution and noise. This amendment also adapted the possibility to differentiate tolls according to time, type of day, or season, with a view to mitigating congestion.

The impact assessment and evaluation of the current framework led to identification of a number of shortcomings relating to existing provisions and problem areas that road charging could tackle.

That the directive does not oblige Member States to introduce user charges and leaves some room for interpretation on road charging methods results in a situation where there are disparities in national road charging policies and a lack of harmonisation when it comes to the type of charges and type of charge-collecting technologies used. According to the [impact assessment](#), Member States are free to decide if they want to implement road charges, on which part of their road network, and to what extent they want to recover the costs of infrastructure. While a majority of Member States have implemented some sort of road charges, only a minority apply distance-based charges to HGVs and only a few of them to passenger cars (which are not covered by the existing EU legislation). The possibility of exempting vehicles between 3.5 and 12 tonnes also leads to an uneven playing field in freight transport. In addition, the fact that the application of charges to buses, coaches, vans and passenger cars is outside the scope of the current legislation and left to Members States' discretion leads to a situation where road charging is primarily focused on HGVs in most Member States, and does not reflect the 'user pays' and 'polluter pays' principles for all road users. In addition, the requirement under the current legislation to notify the Commission of distance-based systems is perceived by some Member States as over-complicated, and has led a number of them to favour time-based charging systems, which are considered to have lower revenue raising potential.

Other shortcomings identified by the evaluation are notably the wide variety of ways to vary charges according to Euro class.² The disparity between the third of Member States that do not apply such

variation at all and the others generates inconsistent price signals to users. Furthermore, only a very limited number of Member States introduced time-varying charges to actually deal with congestion.

Other problems related to the provisions of current legislation are that time-based charges – authorised by the directive – do not seem to be effective in covering infrastructure costs, incentivising cleaner, more efficient operations, or reducing congestion. Moreover, application of external cost charging is too complex and the Euro class variation is not well-defined. Finally, the variation of charges to deal with congestion is also seen as too difficult to implement, and may appear as unfair if addressing HGVs alone.

In addition to the need for simplification and clarification of the directive in certain areas, the current framework for road charging is also seen as deficient in two important areas.

The first area relates to the fact that the Eurovignette Directive covers HGVs only, disregarding other vehicles such as passenger cars, vans and buses. This is an important issue, as these vehicles represent a substantial amount of total transport volumes and also exercise pressure on the environment and upon infrastructure. Even though cars and vans put less strain on road infrastructure than heavier vehicles such as trucks, buses and coaches, passenger cars are the origin of around two thirds of all external [costs](#) generated by road transport, or about 1.8-2.4 % of the gross domestic product (GDP). The vehicles not covered by the current directive do not benefit from any rules guaranteeing non-discriminatory road charging. These vehicles, notably passenger cars, are confronted with the risk of comparatively overpriced short-term vignettes, i.e. some form of discrimination vis-à-vis occasional, mostly foreign, users. Conversely, another potential discrimination is compensation of national users in case time-based charges are introduced –an issue relevant to all types of vehicles.

The second area of concern is that the current directive does not cover CO₂ emissions, although it addresses other externalities such as air pollution and noise. CO₂ emissions from road transport are a growing problem, and in 2014 were still 17 % higher than in 1990. Furthermore, over 60 % of these emissions originates from passenger cars (the highest share), and the proportion of CO₂ emissions from HGVs is increasing. While other instruments such as CO₂ emissions standards are expected to provide or lead to substantial reductions in CO₂ emissions, road pricing could also have an impact in this field by incentivising renewal of the vehicle fleet.

Other issues, such as the degradation of road infrastructure, or congestion within and outside urban areas, also impose costs for society. Decreased public spending on road maintenance in the EU (which stood at 0.5 % of GDP in 2013, compared to 1.5 % in 1975), leads to increased vehicle operating costs, pollutant and noise emissions, increased journey times, accidents, and negative effects on the economy, while road traffic peaks amount, according to various sources, to 1 to 2 % of EU GDP, two thirds of which are related to passenger cars.

Parliament's starting position

The European Parliament has consistently supported an increase in sustainability of road transport and has also regularly called for ambitious measures to reduce greenhouse gas emissions in the sector. In an own-initiative [resolution](#) of 9 September 2015 on the implementation of the 2011 white paper on transport, Parliament called on the Commission to submit proposals to provide for the internalisation of the external costs of all modes of freight and passenger transport, and for specific measures to ensure a wider application of the 'user pays' and 'polluter pays' principles. Parliament also called on the Commission to propose a general framework for national road charging schemes for passenger cars and light commercial vehicles, which should be non-discriminatory for third-country residents and prioritise distance-based charging. In this context, Parliament called upon the Commission for 'initiatives to ensure interoperability of electronic road toll systems'.

Preparation of the proposal

To prepare this review of the directive, the European Commission used previous evaluations complemented by additional research partly using external expertise. As summarised in the [EPRS Implementation Appraisal](#), evaluations of the Eurovignette Directive were carried out in 2013 (the [ex-post evaluation](#) of Directive 1999/62, as amended, on the charging of heavy goods vehicle for the use of certain infrastructure and the evaluation of the implementation and effects of EU infrastructure charging since 1995, prepared by the independent consultancy Ricardo-AEA for the European Commission, together with an [update of the handbook](#) on external costs of transport).

Furthermore, a supporting study for the impact assessment was finalised in April 2017.³ EPRS undertook an [initial appraisal](#) of the Commission's [impact assessment](#) accompanying the Commission's proposal.

The proposal took the results of consultations with stakeholders into account. An [open public consultation](#) took place between 8 July and 2 October 2016 and included two types of questions: those addressed to the general public with the objective of understanding users' perception of road charging, and other, more technical, questions directed at experts. The consultation attracted 135 responses, and received 48 additional documents, mostly from transport companies (42 %), consumers/citizens (14 %), public authorities (13 %), the construction industry (7 %), public transport associations (4 %), and tolling service/solution providers (4 %).

Targeted consultations in the form of thematic seminars with stakeholders and Member States took place in September and October 2015, as well as a conference on the road initiatives in April 2016, and some targeted interviews.

The changes the proposal would bring

The proposal, the objective of which is 'to make progress in the application of the "polluter pays" and "user pays" principles, thereby promoting financially and environmentally sustainable and socially equitable road transport', would substantially modify the existing directive.

The first main change proposed relates to the scope of application of the rules on tolls and user charges, which would be extended to cover not only heavy goods vehicles (HGV) but all heavy duty vehicles (HDV) and light duty vehicles (LDV), i.e. in addition to the goods vehicles over the 3.5-tonne limit, the directive would encompass passenger cars, minibuses and vans, as well as coaches and buses.

The proposal would make progress in the application of the 'polluter pays' and 'user pays' principles by gradually phasing out the use of time-based user charges (vignettes) first, for HGVs and buses and coaches (until 31 December 2023) and then for passenger cars and vans (until 31 December 2027). The purpose would thus be to gradually replace time-based user charges with distance-based charges, which are considered fairer, more efficient and more effective.

The possibility to exempt HGVs below 12 tonnes from road charging would be removed and as of 1 January 2020, charging would apply to all HDVs.

To ensure that user charges are proportionate to the duration of the use made of the infrastructure, the proposal would introduce upper limits to user charges and to the relative price difference between annual and sub-annual vignettes (drawing a distinction between the different types of vehicles).

The revised directive would also propose to phase out the variation of charges according to the Euro emission class of the vehicle and instead, introduce a variation of charges according to HDV CO₂ emissions. For light duty vehicles, such a variation would be based on emissions of both CO₂ and air pollutants. The Commission text also proposes to allow the application of congestion charges, on top of infrastructure charges, to address the issue of interurban congestion.

Regarding external-cost charging, the proposal mentions that Member States that levy tolls would apply an external-cost charge from 1 January 2021 for heavy duty vehicles on at least part of the network.

Finally, regarding mark-up, the Commission proposes to extend the possibility to use them beyond mountainous regions, but a mark-up would not be additionally applied on road sections where a congestion charge would be applied.

The proposal would also update provisions on reporting requirements on tolls, tolls revenues, and the use of revenues, as well as on the quality of toll roads, and simplify certain provisions such as those relating to the application of external-cost charging for air pollution and noise allowing the use of reference values.

Advisory committees

Consultation of the European Economic and Social Committee (EESC) and of the European Committee of the Regions (CoR) on the proposal is mandatory ([Article 91](#) of the Treaty on the Functioning of the EU, TFEU). The EESC adopted its [opinion](#) in plenary session on 18 October 2017. The EESC considered that the introduction of a fair, transparent and non-discriminatory road charging system would contribute to the fight against the deterioration of road infrastructure, congestion and pollution. It underlined that despite the fact that investment in road infrastructure is crucial for growth and employment, spending on its maintenance had fallen. In EESC's view, revenues from the use of road infrastructure should be allocated to cover the costs of building, developing, operating and maintaining road infrastructure. Revenues from external costs should be earmarked to mitigate the negative effects of road transport and improve its performance in particular through innovative infrastructure and traffic management systems. Finally, the EESC was convinced that allocating revenues derived from the application of the new legislation could generate additional employment for more than half a million workers.

The CoR adopted its [opinion](#) in plenary on 1 February 2018. It observed that a low level of infrastructure maintenance in many EU regions could lead to the deterioration of territorial and social cohesion. In the CoR's view, road charging should be based on distance and encourage the use of infrastructure at off-peak times. It pointed out that the calculation of tolls should take into account differences between regions in terms of traffic density and distance between residential centres and businesses. The CoR underlined that road tolls and external cost charges collected in one region need, in principle, to be reinvested in the transport infrastructure of that region in close cooperation with the competent local and regional authorities. It also stressed that as the modifications to road charging were introduced by Member States and regions, they would inevitably lead to an increased use of local road networks. This would have adverse effects on safety, the environment and the costs of maintaining the local road network.

National parliaments

The deadline for submitting a reasoned opinion on the grounds of [subsidiarity](#) was 4 September 2017. The chambers of several national parliaments considered the proposal. Chambers from national parliaments – France, Italy, the Netherlands, Czechia and Romania – submitted comments for political dialogue, while Austria submitted a reasoned opinion. In this opinion, the European Affairs Committee of the [Austrian Federal Council](#) notably underlined that the Eurovignette Directive primarily serves to eliminate distortions of competition for economic operators and mentioned that it considers it inappropriate to include passenger cars in the scope of the directive. Moreover, the committee noted that, in a regulation governing the use of roads by private individuals, 'national and regional aspects must be taken into consideration, a requirement which can be met more efficiently by the Member States'. The Austrian committee is therefore of the view that the proposal is incompatible with the principle of subsidiarity. It also concluded that

the proposed provision to replace existing systems of time-based road charging by systems of distance-based charging is incompatible with the principle of proportionality.

Stakeholder views⁴

As mentioned in a previous section, the European Commission held consultations targeting both the general public and specific stakeholders.

While [stakeholders](#) were generally supportive of measures to stimulate the use of fuel efficient vehicles and measures to tackle CO₂ emissions, there were some differences between Member States and other type of stakeholders in this area. Some Member States had doubts, notably regarding the feasibility of introducing, in the short-term, a CO₂-based variation and the phasing out of differentiation by Euro emission class.

In contrast with most stakeholders, Member States did not support the measures to ensure the quality of roads infrastructures, notably for subsidiarity reasons, considering that it is up to them to decide how they manage and fund their own road networks.

Member States and stakeholders' views also diverged regarding the possible measure to avoid discrimination and ensure a level playing field. Member States were divided on the need for further measures to avoid discrimination, and the phasing out of vignettes attracted little support. Stakeholders who replied to the online public consultation were strongly in favour of the 'user pays' and 'polluter pays' principles and in favour of measures to guarantee that vignette prices are set proportionately.

IRU, the world transport organisation representing mobility operators, of which almost one million in Europe, and logistics services, published its opinion on the legislative file in the framework of its [position paper](#) on the Commission's May 2017 first mobility package, 'Europe on the move'. In IRU's view, under the existing Eurovignette Directive, HGVs already cover their infrastructure and external costs through direct taxes, charges and duties. Making road transport more expensive for freight and passengers would deprive, according to IRU, the sector of the necessary financial means to invest in cleaner and more efficient vehicles. IRU also opposed the inclusion of buses and coaches in the Directive, as they provide more sustainable mobility than individual cars. It proposed to exempt HDVs from any congestion-charging scheme. On 30 September 2020, with discussions on the legislative file ongoing under the German Presidency of the Council, IRU published an [open letter](#) to EU transport ministers in which it reiterated its position. Concerning CO₂ differentiation of truck charging rates, it called for a scheme which would not favour any technology. It suggested to implement a well-to-wheel approach, which it considered fairer and more effective than a policy based on tailpipe emissions. According to IRU, the latter would provide undue advantages to battery electric technology compared to other alternative fuels.

In September 2017, Clecat, a European organisation representing the interests of more than 19 000 companies in the logistics, freight forwarding and customs services industry, published its [position paper](#) on the revision of the Eurovignette Directive and of the Council Directive amending certain provisions on vehicle taxation. It welcomed the legislative proposals, which are in line with Clecat's position that road charging should reflect the emissions performance of all vehicles and not discriminate against goods traffic. It supported the expansion of the Eurovignette Directive to all vehicles, applied in a non-discriminatory manner and to other roads beyond the TEN-Ts, such as motorways and national roads carrying significant international traffic. Clecat expressed the view that road charging revenues should be invested in infrastructure to increase efficiency and relieve congestion.

The European Express Association (EEA), representing the interests of providers of express transport services for documents, parcels and freight, published its [position paper](#) on the proposal in October 2017. It supported the proposed harmonisation and interoperability of the Eurovignette as a way to incentivise the greening of road transport and contribute to increase its growth and competitiveness. Moreover, it considered that no other element than air and noise pollution should

be considered to determine the level of infrastructure charges. Lastly, it agreed with the idea that congestion charges should be applied to all road users.

The European Automobile Manufacturers Association (ACEA) gathering 15 Europe-based car, van, truck and bus manufacturers, published its [first position paper](#) on the Eurovignette Directive revision in October 2017 and updated it with a [new version](#) in November 2019. ACEA was of the opinion that the main objective of the revision of the European road charging system should be to improve clarity, transparency and charging differentiation to encourage the uptake of cleaner vehicles. It believed that national authorities were better placed to decide between distance-based and time-based charging approaches. Road charges revenues should be used to improve infrastructure, including intelligent transport systems (ITS). Moreover, ACEA did not support cross-subsidisation of other transport modes using fees paid by road users. Finally, it strongly supported the differentiation of infrastructure charges according to CO₂ emissions, using fine-scale bands allowing for the amortisation of transport operators' investments over 1-2 years.

The Electro-mobility Platform, gathering organisations from across industries, transport modes and civil society to develop and promote electro-mobility in European transport, published its [position](#) on the legislative file in March 2019. Among other things, it supported promoting distance-based charging, phasing out of Euro emission class variation and introducing CO₂ differentiation for all vehicles, using congestion charges to support e-mobility, and further incentivising the deployment of zero-emission vehicles. In parallel, the Electro-mobility Platform called on the Parliament and the Council to phase out vignettes earlier for HDVs and LDVs and to reduce the exemptions for external costs charging.

Legislative process

The legislative proposal was assigned to the European Parliament's Committee on Transport and Tourism (TRAN), which designated Christine Revault d'Allonnes Bonnefoy (S&D, France) as rapporteur. Following the European elections, in September 2019, the TRAN committee designated Giuseppe Ferrandino (S&D, Italy) to take over as rapporteur.

In November 2017, the TRAN committee organised a public [hearing](#) on the mobility package, including on road charging, which enabled Members to exchange views with representatives of the road and rail sectors and NGOs. The European Parliament's Committee on the Environment, Public Health and Food Safety adopted an [opinion](#) on 27 March 2018. TRAN committee members adopted their [report](#) on 24 May 2018 by 35 votes in favour, 2 against and 2 abstentions. The report supported the Commission's proposal but sought to reinforce the 'user pays' and 'polluter pays' principles in a number of areas.

It notably [said](#) that user charges (vignettes) for heavy duty vehicles and vans intended for the carriage of goods would be replaced by infrastructures charges from 1 January 2023, while vignettes for passenger cars could only be maintained until 31 December 2025, the implication being that by that date (31 December 2025) vignettes for all vehicles would be phased out.

Besides, as of 1 January 2020, tolls and user charges applied to heavy duty vehicles would apply to all of them, as well as to all vans intended for the carriage of goods and fitted with a tachograph.

As for external-cost charges, the report amended the proposal so that from 1 January 2021, Member States that levy tolls would apply an external-cost charge, for traffic-based air or noise pollution, to heavy duty vehicles and to vans intended for the carriage of goods on all parts of the network referred to in Article 7(1)⁵ that are subject to an infrastructure charge. From 1 January 2026 onwards, an external-cost charge imposed on any section of the road network referred to in Article 7(1) would apply in a non-discriminatory manner to all vehicle categories.

The possibility to introduce or maintain congestion charges independently from infrastructure charges was proposed, though Member States may exempt buses and coaches.

Members also proposed that from the date of entry into force of the directive, zero-emission vehicles would benefit from reduced infrastructure charges, and they amended the provisions on mark-ups.

Members also amended the proposal to allow Member States to provide discounts and reductions for distance-based charging under certain conditions, notably for frequent users, particularly in areas with dispersed settlements and the outskirts of large urban areas.

Regarding the use of revenues, Members proposed that revenues generated from infrastructure and external costs charges, or their equivalent in financial value, be used to carry out road network maintenance and upkeep, and to optimise the entire transport system. They also proposed that revenues from charges be used on the territory containing the road section on which they applied. To promote transparency and acceptability of road charging, Members also requested Member States to provide information on the use of revenue generated from road users, and proposed to set up in each Member State an independent authority to supervise toll systems and to guarantee all road users a high level of information on how revenues are used.

At the June 2018 plenary session, Parliament confirmed the TRAN committee decision to enter into interinstitutional (trilogue) negotiations. Nonetheless, with the Council yet to agree on its position, the report was debated during the October II plenary session, in order to consolidate Parliament's position. The plenary adopted its [first-reading position](#) on the draft rules on 25 October 2018, by 398 votes in favour, 179 against and 32 abstentions. The text adopted by the Parliament notably mentioned that road charging imposed by Member States would need to become distance-based from 2023 for heavy-duty vehicles and larger goods vans, and from the end of 2027 for light-duty vehicles, meaning vans and minibuses. Passenger cars were removed from the definition of light duty vehicles.

In September 2019, the TRAN Committee designated Giuseppe Ferrandino (S&D, Italy) as rapporteur, and voted in favour of opening negotiations with the Council on the basis of the first-reading position.

Discussions on the proposal continued to take place within the Council Working Party on Land Transport. The Transport Council held a policy debate on the proposal on 5 December 2017. While discussions were at a near standstill for over a year, they resumed in 2019, and a progress report was presented on 6 June 2019. However, the Council did not succeed in adopting a [general approach](#) at the 2 [December](#) 2019 Transport Council. In its December 2019 communication on the European Green Deal, the [Commission](#) called on the European Parliament and Council to maintain the high level of ambition of its original proposal but also expressed its readiness to withdraw its proposal if necessary and to propose alternative measures. The Commission, however, included the proposal, under the European Green Deal, in [Annex III](#) of its 2020 [work programme](#) listing 'priority pending proposals'.

In January 2020, the Croatian Presidency resumed work on the proposal. At the end of May 2020, it published a new compromise text. On 17 June 2020, the Member States' Ambassadors to the EU (Coreper) sought to reach agreement on a negotiating mandate based on the final Croatian [compromise proposal](#). Delegations recognised that the text had been improved but continued to raise concerns. Therefore, the file was put back on the table for further negotiation by the subsequent German Presidency. On 13 November 2020, the latter presented its first compromise text, which was subsequently sent to Coreper with minor changes on 27 November.

Among other things, the compromise text introduced the possibility to grant reductions or exemptions from tolls or charges for vehicles above 3.5 t and below 7.5 t for the owner of the company or a driver. The same possibility was granted for zero emission vehicles with a maximum laden mass between 3.5 and 4.25 t. Lastly, the compromise text established that if one or more Member States wished to apply mark-ups of more than 25 % on the same corridor with high congestion, they would have to ask the prior agreement of all neighbouring countries affected by this mark-up.

The Working Party on Land Transport organised several videoconferences during which representatives welcomed the direction taken by the German Presidency. On 8 December 2020, the EU Transport Ministers held a [policy debate](#) on the proposal. The debates showed that the German Presidency proposal was on the right track, and provided guidance to finalise the negotiating mandate. A final [compromise proposal](#) from the German Presidency was published on 10 December 2020.

On 18 December 2020, Coreper approved the Council's [negotiating mandate](#) on the revision of the Eurovignette Directive. Only Austria opposed it. In the adopted text, the Council abandoned the idea of banning the use of time-based charging (vignettes) and gave Member States the possibility to choose between a time-based and distance-based charging model. According to specific conditions, Member States would have the possibility to reduce tolls and user charges or exempt vehicles from paying them. The main change was the introduction of a new provision asking Member States to modulate infrastructure and user charges of HDVs according to CO₂ emissions. Member States would also be able to continue applying charge variation depending on the vehicle's Euro emission class. Lastly, the Council agreed with the proposal allowing Member States to apply higher mark-ups (up to 50 %) to the infrastructure charge levied on highly congested road sections, provided that a prior agreement was reached with all affected Member States.

On 29 January 2021, Parliament and Council delegations met for their first interinstitutional negotiations, during which, despite their different positions, they expressed willingness to find a compromise. The main points of contention will concern the possibilities given by the Council to Member States to continue to apply user charges (vignettes) for HGVs and to extend the exemptions for HGVs below 12 tonnes from road charging for 8 additional years. Moreover, the Parliament wished to impose external costs charges to all categories of vehicles as from 2026, while the Council would do so on more limited categories of vehicles and on specific sections of the road network. The interinstitutional negotiations are likely to be complicated.

EP SUPPORTING ANALYSIS

Kramer, E., [Revision of the 'Eurovignette' Directive](#), Initial appraisal of a European Commission impact assessment, EPRS, European Parliament, 2017.

Malmersjo, G., [The Eurovignette and the framework to promote a European electronic toll service \(EETS\)](#), Implementation appraisal, EPRS, European Parliament, March 2017.

Pape, M., [Towards low-emission EU mobility](#), EPRS, European Parliament, March 2017.

Pillath, S., [Road charges for private vehicles in the EU](#), EPRS, European Parliament, May 2016.

Debyser, A., [Revision of the European Electronic Tolling Service \(EETS\) Directive](#), EPRS, European Parliament, April 2019.

OTHER SOURCES

[Charging of heavy goods vehicles for the use of certain infrastructures](#), Legislative Observatory (OEIL), European Parliament.

ENDNOTES

¹ The term heavy goods vehicle (HGV) refers to freight vehicles with a permissible laden weight over 3.5 tonnes, i.e. trucks or lorries.

The term heavy-duty vehicle (HDV) refers to freight and passengers vehicles with a permissible laden weight over 3.5 tonnes, i.e. trucks or lorries, buses and coaches.

The term light-duty vehicle (LDV) refers to freight and passengers vehicles with a permissible laden weight up to 3.5 tonnes, including minibuses carrying up to 16 passengers, i.e. cars, minibuses and vans.

² The term 'Euro class' refers to a vehicle's emission category.

³ Ricardo et al., Support study for the impact assessment accompanying the revision of Directive 1999/62/EC, 2017.

⁴ This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal. Additional information can be found in related publications listed under 'EP supporting analysis'.

⁵ Article 7(1) in the Commission's proposal states: 'Without prejudice to Article 9(1a), Member States may maintain or introduce tolls and user charges on the trans-European road network or on certain sections of that network, and on any other additional sections of their network of motorways which are not part of the trans-European road network under the conditions laid down in paragraphs 3 to 9 of this Article and in Articles 7a to 7k.'

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