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*****I** **REPORT**

on the proposal for a European Parliament and Council directive on the widespread introduction and interoperability of electronic road toll systems in the Community
(COM(2003) 132 – C5-0190/2003 – 2003/0081(COD))

Committee on Regional Policy, Transport and Tourism

Rapporteur: Renate Sommer

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 23 April 2003 the Commission submitted to Parliament, pursuant to Articles 251(2) and 71(1) of the EC Treaty, the proposal for a European Parliament and Council directive on the widespread introduction and interoperability of electronic road toll systems in the Community (COM(2003) 132 – 2003/0081(COD)).

At the sitting of 12 May 2003 the President of Parliament announced that he had referred the proposal to the Committee on Regional Policy, Transport and Tourism as the committee responsible and the Committee on Industry, External Trade, Research and Energy for its opinion (C5-0190/2003).

The Committee on Regional Policy, Transport and Tourism appointed Renate Sommer rapporteur at its meeting of 21 May 2003.

The committee considered the Commission proposal and draft report at its meetings of 3 November 2003 and 24 and 25 November 2003.

At the last meeting it adopted the draft legislative resolution by 44 votes to 1, with 4 abstentions.

The following were present for the vote: Paolo Costa (chairman), Gilles Savary (vice-chairman), Helmuth Markov (vice-chairman), Renate Sommer (rapporteur), Sylviane H. Ainaridi, Emmanouil Bakopoulos, Rolf Berend, Graham H. Booth (for Rijk van Dam), Philip Charles Bradbourn, Luigi Cocilovo, Christine de Veyrac, Jan Dhaene, Den Dover (for James Nicholson), Garrelt Duin, Giovanni Claudio Fava, Jacqueline Foster, Konstantinos Hatzidakis, Ewa Hedkvist Petersen, Roger Helmer (for Mathieu J.H. Grosch), Juan de Dios Izquierdo Collado, Georg Jarzembowski, Karsten Knolle (for Dana Rosemary Scallon), Dieter-Lebrecht Koch, Giorgio Lisi, Nelly Maes, Sérgio Marques, Emmanouil Mastorakis, Erik Meijer, Rosa Miguélez Ramos, Bill Miller (for John Hume), Enrique Monsonís Domingo, Francesco Musotto, Josu Ortuondo Larrea, Peter Pex, Wilhelm Ernst Piecyk, Samuli Pohjamo, Bernard Poignant, Alonso José Puerta, Reinhard Rack, Carlos Ripoll y Martínez de Bedoya, Ingo Schmitt, Elisabeth Schroedter (for Camilo Nogueira Román), Dirk Sterckx, Margie Sudre, Hannes Swoboda (for Ulrich Stockmann), Ari Vatanen, Herman Vermeer, Dominique Vlasto (for José Javier Pomés Ruiz) and Mark Francis Watts.

(The opinion of the Committee on Industry, External Trade, Research and Energy is attached.)

The report was tabled on 28 November 2003.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a European Parliament and Council directive on the widespread introduction and interoperability of electronic road toll systems in the Community (COM(2003) 132 – C5-0190/2003 – 2003/0081(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 132)¹,
 - having regard to Articles 251(2) and 71(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0190/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Policy, Transport and Tourism and the opinion of the Committee on Industry, External Trade, Research and Energy (A5-0435/2003),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1

Title of Commission proposal

Proposal for a European Parliament and Council directive on the **widespread introduction and** interoperability of electronic road toll systems in the Community

Proposal for a European Parliament and Council directive on the interoperability of electronic road toll systems in the Community

Justification

The actual purpose of the directive is to achieve interoperability between different toll-collection technologies, not the widespread introduction of a single technology.

¹ Not yet published in OJ..

Amendment 2
Recital 2

(2) The majority of European States which have installed electronic toll systems to finance road infrastructure costs or electronic systems to collect road use fees (jointly referred to hereinafter as “electronic toll systems”) use short-range microwave technology and frequencies close to 5.8 GHz, but these systems are currently mutually **incompatible**. The work on microwave technology undertaken by the European Committee for Standardisation (CEN) resulted in January 2003 in the preparation of technical standards making for the compatibility of 5.8 GHz microwave electronic toll systems, following the adoption of pre-standards in 1997¹. However, these technical **standards** encompass two **compatible** variants which are not totally compatible. They are based on the Open Systems Interconnection (OSI) model defined by the International Standardisation Organisation for communication between computer systems.

(2) The majority of European States which have installed electronic toll systems to finance road infrastructure costs or electronic systems to collect road use fees (jointly referred to hereinafter as “electronic toll systems”) use short-range microwave technology and frequencies close to 5.8 GHz, but these systems are currently **not completely** mutually **incompatible**. The work on microwave technology undertaken by the European Committee for Standardisation (CEN) resulted in January 2003 in the preparation of technical standards making for the compatibility of 5.8 GHz microwave electronic toll systems, following the adoption of pre-standards in 1997. However, these technical **pre-standards do not cover all the DSRC 5.8 GHz systems in operation in the Union and** encompass two variants which are not totally compatible. They are based on the Open Systems Interconnection (OSI) model defined by the International Standardisation Organisation for communication between computer systems

¹***The CEN pre-standards on 5.8 GHz short-range microwave transmission are known under the technical name of Dedicated Short-Range Communications (DSRC).***

Justification

The current text refers only to the systems compliant to the CEN pre-standards, without even mentioning other already existing systems (e.g. the Italian Telepass) currently representing over 50% of the European market.

See Amendment 1; moreover, CEN pre-standards are only a subset of the DSRC.

The following text shows that successful attempts have already been made to establish interoperability. The existing systems are currently not completely mutually compatible. However, the statement that they are 'mutually incompatible' does not reflect the state of technology

even today; the most that one can say is that they are not completely interoperable.

Amendment 3
Recital 2 a (new)

(2a) This Directive does not affect the Member States' freedom to lay down rules governing road infrastructure charging.

Justification

The directive covers collection systems only.

Amendment 4
Recital 3

(3) Manufacturers and infrastructure managers have nonetheless agreed, within the Member States of the European Union, to develop interoperable products based on the pre-standards adopted in 1997, favouring the option of high-speed transmission between roadside units and on-board ***units***. ***This choice should mean that new electronic toll systems can be introduced that will be technically compatible with the latest systems installed in the Community (in France, Spain and Austria).***

(3) Manufacturers and infrastructure managers have nonetheless agreed, within the Member States of the European Union, to develop interoperable products based on the pre-standards adopted in 1997, favouring the option of high-speed transmission between roadside units and on-board ***equipment***. ***The equipment that will need to be made available to users will accordingly have to be capable of communicating with all the systems specified in Article 2(1).***

Justification

The amendment is intended to underline the principle laid down in the enacting terms, namely that the European electronic road toll system will make for interoperability with all the existing systems referred to in Article 2.

Amendment 5
Recital 5

(5) It is necessary to provide for the widespread deployment of electronic toll systems in the Member States and neighbouring countries, and the need is arising to have interoperable systems suited to the future development of road-charging

(5) It is necessary to provide for the widespread deployment of electronic toll systems in the Member States and neighbouring countries, and the need is arising to have interoperable systems suited to the future development of road-charging policy at Community level ***and***

policy at Community level.

technological developments.

Justification

This addition is necessary in order to clarify the link between toll systems and technological development.

Amendment 6
Recital 5 a (new)

(5a) In introducing new toll systems, sufficient equipment must be made available to avoid discrimination between the enterprises concerned.

Justification

In addition to interoperability, non-discrimination should also be achieved.

Amendment 7
Recital 6

(6) ***Application*** of the new satellite positioning (GNSS) and mobile communications (GSM/GPRS) technologies to electronic toll systems ***will*** serve to meet the requirements of the new road-charging policies planned at Community and Member State level. These technologies enable the number of kilometres covered per category of road to be counted without requiring costly investment in infrastructure equipment ***or the construction of new toll stations***. They also open the door to new safety and information services for travellers, such as the automatic alarm triggered by a vehicle involved in an accident and indicating its position, and real-time information on traffic conditions, traffic levels and journey times. With regard to satellite positioning, the Galileo project launched by the European Union in 2002 will, as of 2008, provide information of higher quality than that provided by the current GPS system and which is optimal for road telematic services. The EGNOS precursor system will already be operational in 2004 providing similar results. However, these innovative systems could raise problems concerning the reliability of

(6) ***In particular, owing to their great flexibility and versatility, application*** of the new satellite positioning (GNSS) and mobile communications (GSM/GPRS) technologies to electronic toll systems ***may*** serve to meet the requirements of the new road-charging policies planned at Community and Member State level. These technologies enable the number of kilometres covered per category of road to be counted without requiring costly investment in infrastructure equipment. They also open the door to ***additional*** new safety and information services for travellers, such as the automatic alarm triggered by a vehicle involved in an accident and indicating its position, and real-time information on traffic conditions, traffic levels and journey times. With regard to satellite positioning, the Galileo project launched by the European Union in 2002 will, as of 2008, provide information of higher quality than that provided by the current GPS system and which is optimal for road telematic services. The EGNOS precursor system will already be operational in 2004 providing similar results. However, these innovative systems could raise problems concerning the reliability of

checks and with regard to fraud prevention.

checks and with regard to fraud prevention.
However, owing to the overwhelming advantages referred to above, the application of satellite positioning and mobile communications technologies is to be recommended as a matter of principle in introducing new toll systems.

Justification

Even if it seems inappropriate to prescribe by law a specific technology for toll collection, explicit reference should be made to the clear advantages of innovative satellite positioning and mobile communications technologies. In its resolution on the Commission's White Paper on transport policy for 2010 (A5-0444/2002), the European Parliament called on the Commission '... to promote the development of innovative logistical concepts, intelligent transport systems, new technologies and innovations so as to allow optimum use of existing and new infrastructures and vehicle capacity...'

This telling argument should be set out in the very first sentence of this recital.

This addition is necessary to clarify the prospect of a link between toll collection systems and the provision of additional services.

Amendment 8 Recital 7

(7) The proliferation of technologies already in use or planned for electronic toll systems in the coming years (mainly 5.8 GHz microwave, satellite positioning and mobile communications) and the proliferation of specifications imposed by the Member States and neighbouring countries for their electronic toll systems may compromise both the smooth operation of the internal market and transport policy objectives. Such a situation is liable to lead in future to the proliferation of incompatible ***and expensive*** electronic boxes in the driving cabs of heavy goods vehicles, and to drivers making mistakes when using them or committing involuntary fraud.

(7) The proliferation of technologies already in use or planned for electronic toll systems in the coming years (mainly 5.8 GHz microwave, satellite positioning and mobile communications) and the proliferation of specifications imposed by the Member States and neighbouring countries for their electronic toll systems may compromise both the smooth operation of the internal market and transport policy objectives. Such a situation is liable to lead in future to the proliferation of incompatible electronic boxes in the driving cabs of heavy goods vehicles, and to drivers making mistakes when using them or committing involuntary fraud. ***Such a proliferation is unacceptable to users and to commercial vehicle manufacturers for cost, safety and legal reasons.***

Justification

The whole point of technical interoperability is to make the 'one box per vehicle' principle viable throughout the EU. Users and commercial vehicle manufacturers require 'one box' to ensure that on-board units can be fitted to vehicle cabs in a cost-effective and safe way.

The claim that there will be a 'proliferation of...expensive' electronic boxes is unconvincing. It is equally possible to imagine that there will be a proliferation of 'cheap' boxes; furthermore, it is not possible to provide an objective definition of 'expensive' in this context.

Amendment 9

Recital 8

(8) Artificial barriers to the ***free movement of persons and goods between the Member States*** need to be removed, while still allowing the Member States and the Union to implement a variety of road-charging policies for all types of vehicles at local, national or international level. The equipment installed in vehicles must allow such road-charging policies to be implemented in accordance with the principles of non-discrimination between the citizens of all European Union countries. The interoperability of electronic toll systems at Community level therefore needs to be ensured as soon as possible.

(8) Artificial barriers to the ***operation of the internal market*** need to be removed, while still allowing the Member States and the Union to implement a variety of road-charging policies for all types of vehicles at local, national or international level. The equipment installed in vehicles must allow such road-charging policies to be implemented in accordance with the principles of non-discrimination between the citizens of all European Union countries. The interoperability of electronic toll systems at Community level therefore needs to be ensured as soon as possible.

Justification

It is questionable to what extent the movement of persons may be hindered by electronic toll systems. The term 'operation of the internal market' is therefore preferable and provides a uniform wording. The movement of persons and goods takes place within the internal market.

Amendment 10

Recital 9

(9) Drivers are legitimately concerned to see improved quality of service on the road infrastructure, particular in terms of safety, as well as a substantial reduction in the length of queues at toll stations, especially on busy days and at certain particularly congested points in the road network. The definition of the European electronic toll service needs to address that concern.

(9) Drivers are legitimately concerned to see improved quality of service on the road infrastructure, particular in terms of safety, as well as a substantial reduction in the length of queues at toll stations, especially on busy days and at certain particularly congested points in the road network. The definition of the European electronic toll service needs to address that concern.
Provision should, moreover, be made to

ensure that the proposed technologies and components can also be combined with other vehicle components, in particular the digital tachograph and emergency call capabilities. Intermodal systems should not be excluded at a later stage.

Justification

The effort should be made to use the combination of toll-appliances and, say, the digital tachograph, and possibly yet other capabilities, to achieve synergy effects in accordance with market requirements.

Amendment 11
Recital 9 a (new)

(9a) The option of accessing other, future applications in addition to toll collection should be ensured by fitting an appropriate interface.

Justification

Devices that give location information and telecommunications functions are expensive. If they are to be fitted to vehicles it should only be done once. To fit the same devices several times for different systems (eCall, tolling, navigation, fleet management etc.) would be an unacceptable waste of scarce resources.

Amendment 12
Recital 12 a (new)

(12a) To set up the European electronic toll system it will first be necessary to establish a body of principles to be laid down by the Committee provided for in Article 5.

Justification

The recital seeks to spell out the provisions laid down in Article 4.

Amendment 13
Recital 12 b (new)

(12b) Automatic debiting of toll charges to bank accounts or credit/debit card accounts which are domiciled anywhere in the EU

(and beyond) requires a fully operational EU payments area with non-discriminatory service charges.

Justification

Interoperability on an EU-wide basis presupposes a fully operational EU payments area where charges for the automatic debiting of toll charges are minimal or cost-free and non-discriminatory by nationality or domicile of the vehicle concerned.

Amendment 14
Recital 12 c (new)

(12c) It is vital that any common electronic tolling system which is adopted for the EU meet the following fundamental criteria:

- that it is amenable to ready incorporation of future technological and systems improvements and developments without costly redundancy of older models and methods;***
- that its costs of adoption by commercial and private road users are insignificant compared with the benefits to those road users as well as to society as a whole;***
- that its implementation in any Member State be non-discriminatory in all respects between domestic road users and road users from other Member States.***

Justification

Essential criteria necessary to make any system readily able to be adopted.

Amendment 15
Recital 13 a (new)

(13a) The inclusion of concerned parties (toll-service operators, infrastructure managers, electronics and motor industries, users) in Commission consultations on technical and contractual aspects of creating the European toll service should be guaranteed.

Justification

Consultation of concerned parties must be regulated by law to guarantee that the Commission can benefit from their practical experience.

Amendment 16
Article 1, subparagraph 1

This Directive prescribes the conditions necessary to ensure ***the widespread introduction and*** interoperability of electronic road toll systems in the Community. It applies to the electronic collection of all types of road fees, on all parts of the Community road network, urban and interurban, motorways, major and minor roads, and various structures such as tunnels, bridges or ferries..

This Directive prescribes the conditions necessary to ensure the interoperability of electronic road toll systems in the Community. It applies to the electronic collection of all types of road fees, on all parts of the Community road network, urban and interurban, motorways, major and minor roads, and various structures such as tunnels, bridges or ferries.

Justification

The actual purpose of the directive is to achieve interoperability between different toll-collection technologies, not the widespread introduction of a single technology..

Amendment 17
Article 2, paragraph 1, introductory part

1. All new electronic toll systems brought into service on or after ***1 January 2005*** and intended for use by all categories of heavy goods vehicles and/or buses and coaches shall, for carrying out electronic toll transactions, use one or more of the following technologies:

1. All new electronic toll systems brought into service on or after ***1 January 2007*** and intended for use by all categories of heavy goods vehicles and/or buses and coaches shall, for carrying out electronic toll transactions, ***be interoperable with each other and*** use one or more of the following technologies:

Justification

The interoperability timetable should commence on 1st January 2007 to take into account the time needed for industry and infrastructure managers to define and deploy standards-compliant interoperable equipment. It is particularly important that an adequate time period should be allocated for creating 'contractual interoperability' (legal, administrative and fiscal aspects).

Amendment 18

Article 2, paragraph 1 a (new)

1a. The above systems (para. 1(a)-(c)) shall be interoperable and may, as regards the country of origin of systems or the conditions under which the systems are operated, be supported solely on the basis of their interoperability (free competition).

Justification

The point is not to decide in favour of one system or another. It is, rather, to ensure that the different systems are interoperable.

Amendment 19
Article 2, paragraph 2

2. A European electronic toll ***service*** shall set up pursuant to Article 3 on ***1 January 2005***. As of this date, operators must make available to interested users on-board equipment which is suitable for use with electronic toll systems in service in the Union and in all types of vehicle, in accordance with the timetable set out in Article 3(3), and which is interoperable capable of communicating with all the systems operating in the territory of the Union.

2. A European electronic toll ***set of requirements*** shall be set up pursuant to Article 3 on ***1 January 2007***. As of this date, operators must make available to interested users onboard equipment which is suitable for use with all electronic toll systems in service in the Union and in all types of vehicle, in accordance with the timetable set out in Article 3(3), and which is interoperable and capable of communicating with all the systems operating in the territory of the Union ***and is available in sufficient quantities to meet the demand of all interested users.***

Justification

The term ‘service’ seems to be inappropriate, given the varied status of operators and issuers all over Europe. It is better to define the requirements that will be compulsory in the future for all of them. Furthermore, these requirements will define the transactions and records that will help ensure interoperability at the procedural and contractual levels.

In addition to interoperability, non-discrimination should also be achieved.

Amendment 20
Article 2, paragraph 3

3. It shall also be possible to link this on-board equipment to the vehicle’s electronic

3. Without prejudice to paragraph 1, on-board equipment may also be suitable for

tachograph for the purposes of calculating the fees due.

other technologies, on condition that this shall not lead to an additional burden for users or create discrimination between them. Where relevant, on-board equipment may also be linked to the vehicle's electronic tachograph.

Justification

By a combination of electronic boxes and digital tachographs, for instance, and possibly other services - according to market requirements - efforts should be made to achieve synergy effects.

Amendment 21
Article 2, paragraph 4

4. As of 1 January 2008, all new systems brought into service as part of the European electronic toll service referred to in Article 3 shall use only the satellite positioning and mobile communications technologies referred to in Article 2(1). *deleted*

Justification

The Commission proposes that the use of satellite positioning technology should be compulsory as from 2008 for newly introduced systems, and as from 2012 for all systems. The Commission is thereby giving preference to a hitherto unique technical system, about the performance of which no experience as yet been recorded. The legislator should not specify any particular product or system. It may well be that the new satellite-based technology will indeed pave the way for yet other new functions and services. But for the specific purposes of toll-collection, such additional functions are not necessary. The decision on the technology to be used for toll-collection must be left to Member States and the market.

Amendment 22
Article 2, paragraph 5

5. Systems brought into service as part of the European electronic toll service before 1 January 2008 must have abandoned the 5.8 GHz technology by 1 January 2012. A migration strategy for such systems must be formulated and implemented between 1 January 2008 and 1 January 2012. *deleted*

Justification

The Commission proposes that the use of satellite positioning technology should be compulsory as from 2008 for newly introduced systems, and as from 2012 for all systems. The Commission is thereby giving preference to a hitherto unique technical system, about the performance of which no experience as yet been recorded. The legislator should not specify any particular product or system. It may well be that the new satellite-based technology will indeed pave the way for yet other new functions and services. But for the specific purposes of toll-collection, such additional functions are not necessary. The decision on the technology to be used for toll-collection must be left to Member States and the market.

Amendment 23

Article 2, paragraph 5 a (new)

5a. Interoperability work on existing toll technologies undertaken in connection with the European electronic toll service must ensure the compatibility and interfacing of systems and equipment with satellite positioning and mobile communication (GSM -GPRS) technologies.

Justification

Because of the costs involved it is unrealistic to expect operators to carry out interoperability work based on three technologies as of 2005, only to then require them to choose between satellite or mobile communication technology between 2008 and 2012.

Instead of prescribing a mandatory switch to satellite and mobile communication technologies, this directive ought to focus on the goal of achieving interoperability across the board between the different electronic toll systems already in place and described in Article 2(1).

Amendment 24

Article 2, paragraph 6

6. To satisfy itself that satellite and mobile communications technology meets the needs of the operators of electronic toll systems, the Commission shall, by 31 December 2007, present a report drawn up with the assistance of the Electronic Toll Committee and, if necessary, a proposal to extend the period of use of microwave systems.

6. With a view to the possible migration to systems based on satellite and mobile communications technologies from services based on other technologies, the Commission shall, in cooperation with the committee referred to in Article 5, submit a report no later than 31 December 2009. This report shall contain both a study on the dissemination and interoperability of the various technologies referred to in

paragraph 1 and a cost-benefit analysis. On the basis of this report the Commission may, if appropriate, submit a proposal for a system migration strategy.

Justification

The report must describe the application of the different technical toll collection systems in the Member States, and in particular record the cost-benefit ratio of the various systems. On the basis of this study the Commission may then propose a system migration strategy, if appropriate.

Amendment 25
Article 2, paragraph 7

7. Member States shall take the necessary measures to increase the use of electronic toll systems. They shall ***ensure inter alia that*** at least 50% ***of toll lanes*** in each toll station ***are equipped with*** electronic toll systems ***by 2005 at the latest.***

7. Member States shall take the necessary measures to increase the use of electronic toll systems. They shall ***endeavour to ensure that by 1 January 2007 at the latest,*** at least 50% ***of traffic flow*** in each toll station ***can use*** electronic toll systems. ***Lanes used for electronic toll collection may also be used for toll collection by other means, with due regard to safety.***

Justification

The reference point for electronic tolls should be the actual volume of traffic and not the abstract number of toll lanes. It should also be possible to provide other services, particularly in the interests of traffic safety.

Amendment 26
Article 3, paragraph 1

1. A “European electronic toll ***service***” shall be set up which ***encompasses all road infrastructure in the Community on which tolls or usage fees are collected. A single subscription contract shall give access to the service on the whole of this network and subscriptions*** shall be available from the ***manager*** of any part of the network.

1. A “European electronic toll ***contractual set of rules***” shall be set up which ***allows all the operators and/or issuers to provide EFC interoperability. Any subscription contract respecting the European electronic toll contractual set of rules shall give access to the whole network. It*** shall be available from the ***contract issuers*** of any part of the network.

Justification

The establishment of a single toll contract valid for all 25 Member States raises significant problems at the juridical, judicial, fiscal and financial levels relating to the imposition of different levels of juridical structures and commercial intermediaries.

This proposal is inspired by the very efficient models of national compatibility, free of a single subscription contract, developed by systems of credit cards, GSM mobile phone operation and of the issue and acceptance of air transport tickets.

The contractual compatibility should rely on a common European set of rules respected by all contract issuers.

Such a body of European rules should benefit from the outcome of several European projects, including MOVE-it, CESARE I, CESARE II, PISTA, the newly established CESARE III, etc, to create a specification to ensure contractual interoperability.

Finally, collectors of fees or of tolls will not necessarily coincide in the long term with network managers. It is therefore convenient to replace the very general expression 'network manager' by the more accurate notion of 'contract issuer' developed and used in the European research projects CESARE II and CARDME.

Amendment 27

Article 3, paragraph 2

2. The European electronic toll **service** shall be independent of the level of charges and the purpose for which such charges are levied. It shall concern only the method of collecting tolls or fees. The **service** shall **be the same** irrespective of the place of registration of the vehicle, the nationality of the subscriber, the nationality of the **operator** who issued the subscription, and the zone or point on the road network in respect of which the toll is due.

2. The European electronic toll **contractual set of rules** shall be independent of **the fundamental decisions taken by Member States to levy tolls on particular types of vehicles and of** the level of charges and the purpose for which such charges are levied. It shall concern only the method of collecting tolls or fees. The **system** shall **allow for interoperability of the contracts** irrespective of the place of registration of the vehicle, the nationality of the subscriber, the nationality of the **issuer** who issued the subscription, and the zone or point on the road network in respect of which the toll is due.

Justification

The establishment of a single toll contract valid for all 25 Member States raises significant

problems at the juridical, judicial, fiscal and financial levels relating to the imposition of different levels of juridical structures and commercial intermediaries.

Amendment 28
Article 3, paragraph 2 a (new)

2a. The system shall allow an intermodal toll service to develop without creating disadvantages for more sustainable modes of transport.

Justification

Interoperability should not only be developed between electronic road systems, but also stay open to other modes (intermodality). It should not disadvantage more sustainable modes, as they are favoured by the EU transport policy.

Amendment 29
Article 3, paragraph 3, introductory sentence

3. All ***network managers concerned*** must offer ***the European service*** to ***their*** customers according to the following timetable:

3. All ***EFC contract issuers in the Union*** must offer to ***its*** customers ***a contract that complies with the European electronic toll contractual set of rules*** according to the following timetable:

Justification

See justification am. 19.

Amendment 30
Article 3, paragraph 3, point (a)

(a) for all vehicles exceeding 3.5 tonnes and vehicles carrying more than nine passengers (driver + 8), as of ***1 January 2005***,

(a) for all vehicles exceeding 3.5 tonnes and vehicles carrying more than nine passengers (driver + 8), as of ***1 January 2007***,

Justification

This will allow more time for contractual interoperability (legal, administrative and fiscal aspects) to be achieved.

Amendment 31
Article 3, paragraph 3, point (b)

(b) for all other types of vehicle, as of 1 January 2010 at the latest.

(b) for all other types of vehicle **that are subject to tolls in particular Member States on the basis of subsidiary decisions**, as of 1 January 2010 at the latest.

Justification

Although private cars and motor bikes are used to a much lesser extent than goods vehicles and coaches for travel on the trans-European road network, it is already the case that the former category of vehicles is subject to tolls in some Member States. Since it cannot be excluded that other Member States will introduce private-car tolls by 2010, private users must also be given the option of taking out a toll contract valid throughout the EU.

Amendment 32
Article 4, paragraph 1, point (f)

(f) classification of vehicles;

deleted

Justification

The Commission document is not clear on this point. A vehicle-classification system already exists (Euro-Norm). If thought is being given to a new classification system, it cannot form any part of the present draft directive on the technical interoperability of electronic toll systems.

Amendment 33
Article 4, paragraph 1, point (j a) (new)

(ja) assessment of the possibility of harmonising the rules of enforcement relating to electronic road tolls;

Justification

In the field of 'contractual interoperability', if an electronic toll collection system is to work, toll operators must be able actually to enforce the payment of fees. It is therefore necessary to examine the possibility of establishing uniform enforcement rules for this sector of toll fees.

Amendment 34
Article 4, paragraph 2

2. The European electronic toll system shall employ the technical solutions referred to in Article 2.

2. The European electronic toll system shall employ the technical solutions referred to in Article 2 **and shall rely on a**

public availability of specifications needed for their realisation.

Justification

Meeting the mandatory requirements for fair competition means ensuring the absence of incentives or market pressures that could encourage the development of a de facto monopoly within the industry responsible for (or related to) producing interoperability technologies themselves.

Amendment 35
Article 4, paragraph 5 a (new)

5a. The decisions relating to the definition of the European electronic toll service shall be taken by the Commission in accordance with the procedure referred to in Article 5(2), at the latest 12 months before the dates respectively mentioned in Article 3(3).

Justification

Decisions by the Toll Committee concerning the definition of the European electronic toll service must be taken at least 12 months before the entry into force of the European electronic toll service. This deadline is intended to ensure that the operators have enough time to prepare for the requirements of the toll service.

Amendment 36
Article 6, subparagraph 1

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than **30 June 2004**. They shall forthwith inform the Commission thereof..

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than **30 June 2005**. They shall forthwith inform the Commission thereof.

Justification

Taking into account the time required for both the publication of the legislative proposal and the legislative process, a more reasonable but nevertheless still ambitious timetable suggests a more realistic deadline for the implementation of the directive by Member States.

EXPLANATORY STATEMENT

I. Introduction

A toll is a charge levied by a (private) company in connection with a public-private partnership and paid by road users. Tolls are means of financing the construction, maintenance, improvement and operation of road infrastructure.

Electronic toll systems were introduced in a number of European countries in the early 1990s. They are primarily intended to reduce transit times at toll collection points, thus increasing their capacity. However, various mutually incompatible systems were also introduced at local, and subsequently national, level. Even the nation-wide electronic systems used in Italy, Portugal, France, Switzerland, Slovenia and Norway are, according to the Commission, mutually incompatible.

Incompatible national toll systems, however, create problems for international road transport and are an obstacle to the smooth functioning of the internal market.

In its resolution on the Commission's White Paper on 'European Transport Policy for 2010' (A5-0444/2002), the European Parliament called on the Commission to 'promote the development of innovative logistical concepts, intelligent transport systems, new technologies and innovations so as to allow optimum use of existing and new infrastructures and vehicle capacity (...)'.

II. Technologies

The various types of electronic toll system in use at present are based on short-range microwave technology (DSRC).

A more recent technology involves satellite positioning (global navigation satellite system (GNSS): GPS, and later GALILEO) in conjunction with mobile communications (using the GSM/GPRS standard). This is dependent on the further development of satellite navigation systems, and in particular GALILEO, which is to become operational in 2008. According to the Commission, even the EGNOS precursor system will, as of 2004, provide a higher degree of positioning accuracy than that afforded by GPS (Global Positioning System).

The Commission argues that satellite positioning in conjunction with mobile communications is the only solution that allows easy application of 'zone tolls' - within conurbation, for example. At present, there are no plans to introduce new toll systems using any technology other than that based on microwaves or the GPS/GSM combination.

III. Aim of the proposed directive

According to the Commission, the directive lays down the conditions necessary for a European electronic toll service to be put in place as soon as possible on all parts of the road

network subject to tolls, thus ensuring the interoperability of toll systems in the internal market. The object is **‘one contract per customer, one box per vehicle’**.

The Commission makes clear that the directive does not deal with road-charging policy as such and **does not prejudge possible future road-charging policy options**. The technical solutions proposed would allow the introduction of all possible charging systems currently being considered at European Union level or in the Member States.

IV. The most important provisions

In order to effect a gradual transition to interoperable toll systems in the context of a European toll service, the Commission proposes both a short-term solution (until 2005) taking account of existing systems and a long-term solution (2008-2012) for new systems.

Article 2(1) requires all **new** electronic toll systems brought into service on or after 1 January 2005 and intended for use by all categories of heavy goods vehicles and/or buses and coaches to use one or more of the following technologies for carrying out electronic toll transactions (**short-term solution**):

- (a) satellite positioning
- (b) mobile communications using the GSM/GPRS standard (reference GSM TS 03.60/23.060).
- (c) 5.8 GHz microwave technology.

Furthermore, Article 2(4) stipulates that, as of January 2008, all new systems brought into service as part of the European electronic toll service must use **only** positioning and mobile communications technologies (**long-term solution**). Systems brought into service before 1 January 2008 will be required to have abandoned the microwave technology by 1 January 2012 (Article 2(5)). By 2005, at least 50% of lanes at each toll station must be equipped with electronic toll systems.

The prospective European electronic toll service (Article 2(2)) should encompass the entire network by 1 January 2005 and be available to users via a single subscription contract arranged with any operator of part of the network (Article 3(1)).

Article 3(2) makes clear that the European electronic toll service will be independent of the level of charges and the purpose for which such charges are levied and will concern only the method of collecting tolls or fees.

The network operators must offer the European service to their customers according to the following timetable:

- as of 1 January 2005, for all vehicles exceeding 3.5 tonnes and vehicles carrying more than 9 passengers

- for all other types of vehicle, as of 1 January 2010 at the latest.

Article 4 describes the technical features of the European electronic toll service. Finally, Article 5 provides for the setting up of a regulatory committee (the electronic toll committee) composed of representatives of the Member States and serviced by the Commission.

V. Rapporteur's position

The Commission proposal on introducing a European toll service and user-friendly interoperability of the different toll systems is essentially to be welcomed, and is, moreover, supported by the leading performers in the European transport sector.

The actual objective of the Commission communication is, in addition to creating an EU-wide toll system, to establish technical interoperability of electronic toll systems in the Community. The purpose is to ensure smooth passage in international road transport, and thereby to facilitate the operation of the internal market.

To achieve that objective, it is proposed that, from not later than 2012, it be made compulsory to introduce Europe-wide the new-style toll technology based on positioning-satellite and mobile communications systems, hence in effect to stipulate that, in those Member States that levy tolls, such technology be used exclusively because the toll technologies now in use are allegedly not interoperable.

Although your rapporteur supports the plans for creating a Europe-wide toll service - over a more broadly based time-frame - she cannot go along with the Commission proposal, and wishes to make the following points:

The Commission claim to the effect that existing toll-collecting technologies are not functionally interoperable is not, strictly speaking, accurate. Some of those systems are based on the same CEN standards, and further studies of interoperability are already being planned. According to operators, the creation of (horizontal) interoperability of microwave short-range communications systems is now only a matter of time, and an already expected on-board-unit (OBU) interface on satellite-based technical systems could, in addition, be used make the two different existing (vertical) technologies interoperable.

If the new satellite and mobile communications-based technology were in fact to be made compulsory throughout the EU, those efforts to create horizontal and vertical interoperability of toll-collection technology would immediately become obsolete.

The Commission is, moreover, giving preference in its proposal to a hitherto unique technical system, even although no experience of it in use has as yet ever been recorded, on the grounds that it can in future - on the basis of the GALILEO European satellite navigation system - provide much additional functionality, which extends well beyond the immediate requirements of toll-collecting.

For the immediate purposes of toll collecting, however, the existing microwave systems are adequate. All that matters in this connection is to ensure interoperability. All additional functions, such as emergency calls, traffic management, or positioning systems, could also be assured by way of satellite navigation systems. Opting for that approach would not, of course, allow the declared objective of 'one box per vehicle' to be achieved. Your rapporteur takes the view, however, that it can be no part of the legislator's job to stipulate a particular technology

as compulsory, but that market mechanisms must be allowed to operate. For if satellite positioning and mobile communications connections really are the only means of providing service over large areas or establishing an 'area toll' in major conurbations (where your rapporteur thinks the subsidiarity principle should apply), then that very technology will be brought into use by the free play of the market. And neither does the GALILEO European satellite navigation system now under construction need any justification by way of toll-collecting technology.

Technical options and contractual aspects of toll collection will be discussed in the Regulatory Committee. Appropriate representation of concerned parties (toll companies, transport associations, industry, etc) will therefore have to be ensured for consultation with that body.

Where consideration is being given to possibly combining the tolls-OBUs with the digital tachograph, it should be recognised that, unlike the tachograph, tolls are subject to the subsidiarity principle, which means, fundamentally, that those technologies will have to be dealt with separately on the law-making side. It can be assumed that industry, together with concerned users of the technology, will achieve that combination on a market-economy basis, to the extent that is technically possible and holds out the promise of synergy effects.

Lastly, it must be pointed out that the Commission's underlying objective of establishing contractual and technical interoperability of the European tolls system deserves Parliament's support. Since it can be expected, in view of scarce resources, that additional Member States, including enlargement States, will plan the introduction of national toll systems, we must not allow users of road-network infrastructures and the internal common market to be obstructed by administrative and technical barriers.

6 November 2003

OPINION OF THE COMMITTEE ON INDUSTRY, EXTERNAL TRADE, RESEARCH AND ENERGY

for the Committee on Regional Policy, Transport and Tourism

on the proposal for a European Parliament and Council directive on the widespread introduction and interoperability of electronic road toll systems in the Community (COM(2003) 132 – C5-0190/2003 – 2003/0081(COD))

Draftsman: Claude Turmes

PROCEDURE

The Committee on Industry, External Trade, Research and Energy appointed Claude Turmes draftsman at its meeting of 11 June 2003.

It considered the draft opinion at its meetings of 7 October and 4 November 2003

At the last meeting it adopted the following amendments unanimously.

The following were present for the vote: Luis Berenguer Fuster (chairman), Yves Piétrasanta and Jaime Valdivielso de Cué, (vice-chairmen), Claude Turmes (draftsman), Konstantinos Alyssandrakis, Per-Arne Arvidsson (for Guido Bodrato), Sir Robert Atkins, Ward Beysen, Gérard Caudron, Giles Bryan Chichester, Nicholas Clegg, Concepció Ferrer, Francesco Fiori (for Werner Langen), Norbert Glante, Michel Hansenne, Malcolm Harbour (for Elizabeth Montfort), Hans Karlsson, Bashir Khanbhai, Rolf Linkohr, Caroline Lucas, Erika Mann, Marjo Matikainen-Kallström, Eryl Margaret McNally, Ana Clara Maria Miranda de Lage, Angelika Niebler, Reino Paasilinna, Paolo Pastorelli, Godelieve Quisthoudt-Rowohl, Imelda Mary Read, Mechtild Rothe, Christian Foldberg Rovsing, Paul Rübig, Konrad K. Schwaiger, Esko Olavi Seppänen, Alejo Vidal-Quadras Roca and Olga Zrihen Zaari.

SHORT JUSTIFICATION

I. Background

The main objective of electronic road toll systems is to speed up toll collection, thereby increasing the capacity of motorways. Various systems have been introduced, at local and then at national level, but these systems are mutually incompatible, creating problems for motorists.

In view of the growth in international traffic, it is now desirable for these systems to be interoperable at European level. Electronic tolls are the potential key to developing the information society in road transport, as the same equipment installed in vehicles will allow value-added telematic services and safety systems to be deployed for travellers. They therefore help to strengthen the European electronics industry.

II. Contents of the proposal

The proposal for a Directive on the widespread introduction and interoperability of electronic road toll systems in the Community (COM (2003)132) was approved on 23 April 2003 and was already announced in the White Paper "European transport policy for 2010: time to decide". It lays down the conditions necessary for a European electronic toll service to be put in place as soon as possible on all parts of the road network subject to tolls. This service will be based on the principle of "one contract per customer, one box per vehicle".

The proposal does not deal with road-charging policy as such and does not prejudge possible future road-charging policy options. By ensuring the interoperability of toll systems in the internal market, the proposal intends to facilitate the implementation of a Europe-wide infrastructure-charging policy. The recommended technologies can cover all types of infrastructure (motorways, roads, bridges, tunnels, etc.) and vehicles (HGV, light vehicles, motorbikes, etc.).

Other important aspects of the proposal are:

- the European electronic toll service will be based on a short-term solution (until 2005), taking account of existing systems, and then on a long-term solution (2008-2012); in the short-term, microwave technology would be allowed;
- in 2008 the satellite solution involving the combination of satellite positioning and mobile communications must be adopted, in preference to microwave technology, for all new systems brought into service on or after that date as part of the European electronic toll service (with a transitional period for microwave technology until 2012);
- the European service will be deployed in two stages: from 2005 for electronic toll payments by HGVs, buses and coaches and from 2010 for cars.
- the proposal sets up a committee to assist the Commission, composed of representatives of the Member States with practical experience in the fields of electronic tolls and road management.

III. Draftsman's position

Your draftsman mainly agrees with the contents of the proposal, but considers nevertheless that the political purpose of this Directive needs emphasising. Interoperability of technical road toll systems has to be regarded as an instrument for internalising external social and environmental costs (true costs) in the road transport sector or for avoiding these costs.

Given the draftsman's conviction that the road toll system is an EU transport policy measure for achieving cost internalisation with certain means of transport and hence not just a levy for the use of transport infrastructure, he would have appreciated to see the proposal separated from the Communication on TENs. This is also important since the legislative framework for interoperability exceeds TENs and applies to other categories of roads, too.

It is less a question of favouring a particular system, but more of integrating the different systems with each other, while maintaining, improving and combining the advantages of each, thereby achieving efficiency in road transport charging in Europe. Since the digital tachograph is the subject of an EU Directive and known to be an efficient electronic road information system, it should be included into the interoperability measures. The European Commission should identify any financial obstacles to integrating road transport charges at European level and identify appropriate funding solutions in due time.

Transport in the EU is not isolated from the rest of Europe. Increasing transport to, through and from neighbouring countries means that there has to be interoperability with these States' systems. The role of Switzerland's toll system is crucial, as it is an interesting and inspiring example of a sustainable charging policy and of a modal shift towards more sustainable modes, such as combined transport and rail in the middle of the sensitive Alpine region and of the EU.

Road transport is not an isolated transport mode, but has to co-operate with other modes, such as air, rail, water and combined transport. Toll systems should therefore in future be closely linked to the intermodal approach of EU transport policy. Modes of transport, from the point of view of safety, environment and social needs, should not be disadvantaged.

Your draftsman expressly welcomes recital 11 of Commission's proposal, which refers to the right to protection of personal data and privacy.

AMENDMENTS

The Committee on Industry, External Trade, Research and Energy calls on the Committee on Regional Policy, Transport and Tourism, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

¹ Not yet published in OJ.

Amendment 1
Recital 9

(9) Drivers are legitimately concerned to see improved quality of service on the road infrastructure, particular in terms of safety, as well as a substantial reduction in the length of queues at toll stations, especially on busy days and at certain particularly congested points in the road network. The definition of the European electronic toll service needs to address that concern.

(9) Drivers are legitimately concerned to see improved quality of service on the road infrastructure, particular in terms of safety, as well as a substantial reduction in the length of queues at toll stations, especially on busy days and at certain particularly congested points in the road network. The definition of the European electronic toll service needs to address that concern.

Intermodal systems should not be excluded at a later stage.

Justification

See justification under amendment 10.

Amendment 2
Recital 9 a (new)

(9 a) Internalisation of external costs (polluter pays principle) should be a basis for realising interoperability of toll systems and therefore could contribute to avoid external social and environmental costs for the society.

Justification

Self-explanatory.

Amendment 3
Recital 12

(12) Given that the objectives of the proposed action, including the **interoperability of toll systems in the internal market** and the introduction of a **European electronic toll service** covering the entire Community road network on

(12) Given that the objectives of the proposed action, including the **interoperability of toll systems in the internal market** and the introduction of a **European electronic toll service** covering the entire Community road network on

which tolls are charged, cannot be achieved sufficiently by the Member States and may therefore be better achieved, by reason of their **European** dimension, at Community level, the Community may take measures, in accordance with the principle of subsidiarity established in Article 5 of the Treaty. This Directive does not go beyond what is necessary in order to achieve these objectives, and is therefore in accordance with the principle of proportionality as set out in the said Article.

which tolls are charged *and considering interoperability with systems of countries neighbouring the EU, specially in the cases of Switzerland and Norway*, cannot be achieved sufficiently by the Member States and may therefore be better achieved, by reason of their **European** dimension, at Community level, the Community may take measures, in accordance with the principle of subsidiarity established in Article 5 of the Treaty. This Directive does not go beyond what is necessary in order to achieve these objectives, and is therefore in accordance with the principle of proportionality as set out in the said Article.

Justification

See justification under amendment 5.

Amendment 4
Recital 12 a (new)

(12 a) Automatic debiting of toll charges to bank accounts or credit/debit card accounts which are domiciled anywhere in the EU (and beyond) requires a fully operational EU payments area with non-discriminatory service charges.

Justification

Interoperability on an EU-wide basis presupposes a fully operational EU payments area where charges for the automatic debiting of toll charges are minimal or cost-free and non-discriminatory by nationality or domicile of the vehicle concerned.

Amendment 5
Recital 12 b (new)

(12 b) It is vital that any common electronic tolling system which is adopted for the EU meet the following fundamental criteria:
- that it is amenable to ready incorporation of future technological and systems improvements and developments without costly redundancy of older models and

methods;

- that its costs of adoption by commercial and private road users are insignificant compared with the benefits to those road users as well as to society as a whole;

- that its implementation in any Member State be non-discriminatory in all respects between domestic road users and road users from other Member States.

Justification

Essential criteria necessary to make any system readily able to be adopted.

Amendment 6
Article 1, paragraph 1

1. This Directive prescribes the conditions necessary to ensure the widespread introduction and interoperability of electronic road toll systems in the Community. It applies to the electronic collection of all types of road fees, on all parts of the Community road network, urban and interurban, motorways, major and minor roads, and various structures such as tunnels, bridges or ferries.

1. This Directive prescribes the conditions necessary to ensure the widespread introduction and interoperability of electronic road toll systems in the Community ***as a tool for realising the internalisation of external social and environmental costs in the road transport sector.*** It applies to the electronic collection of all types of road fees, on all parts of the Community road network, urban and interurban, motorways, ***in sensitive areas, such as the Alps,*** major and minor roads, and various structures such as tunnels, bridges or ferries.

Justification

The European Commission's 'White Paper on Infrastructure Charging (1998)' and the 'White Paper on the Common Transport Policy up to 2010', endorsed by the Council and the European Parliament, stated that truth of costs for all transport modes should be put in practice. The Alps, as a transborder ecologically sensitive area, need special focus and the Swiss toll system could deliver inspiration to the EU transport charging policy.

Amendment 7
Article 1, paragraph 2

2. To achieve the objective set in the first paragraph, a European electronic toll service shall be created. This service must ensure the interoperability, for users, of the electronic toll systems that have already been introduced at national or regional level by the Member States and of those to be introduced in future throughout the Union's territory.

2. To achieve the objective set in the first paragraph, a European electronic toll service shall be created. This service must ensure the interoperability, for users, of the electronic toll systems that have already been introduced at national or regional level by the Member States and of those to be introduced in future throughout the Union's territory **and take into account interoperability with systems of countries neighbouring the EU, specially in the cases of Switzerland and Norway. Particularly the Swiss system is an inspiring model for a sustainable road charging policy.**

Justification

Toll systems in countries, geographically near to or in the middle of EU, should be included in the EU's interoperability measures.

Amendment 8
Article 2, paragraph 1

1. All new electronic toll systems brought into service on or after 1 January 2005 and intended for use by all categories of heavy goods vehicles and/or buses and coaches shall, for carrying out electronic toll transactions, use one or more of the following technologies:

1. All new electronic toll systems brought into service on or after 1 January 2005 and intended for use by all categories of heavy goods vehicles and/or buses and coaches shall, for carrying out electronic toll transactions, **be interoperable with each other and** use one or more of the following technologies:

Justification

Self-explanatory.

Amendment 9
Article 2, paragraph 1, point (c) a (new)

(c a) digital tachograph

Justification

The digital tachograph is subject of a EU directive and known as a performant electronic

Amendment 10
Article 2, paragraph 1 a (new)

1 a. These systems should be interoperable with each other, without being supported for other reasons than interoperability, as far as the nationality of the industrial products or the conditions under which operations of the systems are concerned (fairness on competition).

Justification

Self-explanatory.

Amendment 11
Article 2, paragraph 4

4. As of 1 January 2008, all new systems brought into service as part of the European electronic toll service referred to in Article 3 shall use only the satellite positioning and mobile communications technologies referred to in Article 2(1). *deleted*

Justification

There is no need to focus on one or two technologies in 2012 as an interoperable solution must already be achieved in 2005 based on different technologies.

Amendment 12
Article 2, paragraph 5

5. Systems brought into service as part of the European electronic toll service before 1 January 2008 must have abandoned the 5.8 GHz technology by 1 January 2012. A migration strategy for such systems must be formulated and implemented between 1 January 2008 and 1 January 2012. *deleted*

Justification

See justification amendment 11.

Amendment 13
Article 2, paragraph 6

6. To satisfy itself that *satellite and mobile communications technology meets* the needs of the operators of electronic toll systems, the Commission shall, by 31 December 2007, present a report drawn up with the assistance of the Electronic Toll Committee and, if necessary, a proposal to *extend the period of use of microwave systems*.

6. To satisfy itself that *technologies referred to in paragraph 1 meet* the needs of the operators of electronic toll systems, the Commission shall, by 31 December 2007, present a report drawn up with the assistance of the Electronic Toll Committee and, if necessary, a proposal to *amend the technological solutions referred to in this Article*.

Justification

See justification amendment 11.

Amendment 14
Article 3, paragraph 2 a (new)

2 a. The system shall allow an intermodal toll service to develop without creating disadvantages for more sustainable modes of transport.

Justification

Interoperability should not only be developed between electronic road systems, but also stay open to other modes (intermodality). It should not disadvantage more sustainable modes, as they are favoured by the EU transport policy..