

PARLEMENT EUROPÉEN

1999



2004

Document de séance

FINAL
A5-0246/2004

7 avril 2004

*****II**

RECOMMANDATION POUR LA DEUXIÈME LECTURE

relative à la position commune du Conseil en vue de l'adoption de la directive
du Parlement européen et du Conseil concernant l'interopérabilité des systèmes
de télépéage routier dans la Communauté
(6277/1/2004 – C5-0163/2004 – 2003/0081(COD))

Commission de la politique régionale, des transports et du tourisme

Rapporteur: Renate Sommer

Légende des signes utilisés

- * Procédure de consultation
majorité des suffrages exprimés
- **I Procédure de coopération (première lecture)
majorité des suffrages exprimés
- **II Procédure de coopération (deuxième lecture)
majorité des suffrages exprimés pour approuver la position commune
majorité des membres qui composent le Parlement pour rejeter ou amender la position commune
- *** Avis conforme
majorité des membres qui composent le Parlement sauf dans les cas visés aux art. 105, 107, 161 et 300 du traité CE et à l'art. 7 du traité UE
- ***I Procédure de codécision (première lecture)
majorité des suffrages exprimés
- ***II Procédure de codécision (deuxième lecture)
majorité des suffrages exprimés pour approuver la position commune
majorité des membres qui composent le Parlement pour rejeter ou amender la position commune
- ***III Procédure de codécision (troisième lecture)
majorité des suffrages exprimés pour approuver le projet commun

(La procédure indiquée est fondée sur la base juridique proposée par la Commission.)

Amendements à un texte législatif

Dans les amendements du Parlement, le marquage est indiqué en gras et italique. Le marquage en italique maigre est une indication à l'intention des services techniques qui concerne des éléments du texte législatif pour lesquels une correction est proposée en vue de l'élaboration du texte final (par exemple éléments manifestement erronés ou manquants dans une version linguistique). Ces suggestions de correction sont subordonnées à l'accord des services techniques concernés.

SOMMAIRE

| | Page |
|---|-------------|
| PAGE RÉGLEMENTAIRE..... | 4 |
| PROJET DE RÉOLUTION LÉGISLATIVE DU PARLEMENT EUROPÉEN | 5 |
| EXPOSÉ DES MOTIFS | 6 |

PAGE RÉGLEMENTAIRE

Au cours de sa séance du 18 décembre 2003, le Parlement a arrêté sa position en première lecture sur la proposition de directive du Parlement européen et du Conseil concernant l'interopérabilité des systèmes de télépéage routier dans la Communauté (COM(2003) 132 – 2003/0081(COD)).

Au cours de la séance du 31 mars 2004, le Président du Parlement a annoncé la réception de la position commune, qu'il a renvoyée à la commission de la politique régionale, des transports et du tourisme (6277/1/2004 – C5-0163/2004).

Au cours de sa réunion du 21 mai 2003, la commission avait nommé Renate Sommer rapporteur.

Au cours de sa réunion du 6 avril 2004, elle a examiné la position commune ainsi que le projet de recommandation pour la deuxième lecture.

Au cours de cette dernière réunion, elle a adopté le projet de résolution législative par 27 voix et 3 abstentions.

Étaient présents au moment du vote Paolo Costa (président), Helmuth Markov (vice-président), Renate Sommer (rapporteur), Graham H. Booth (suppléant Rijk van Dam), Philip Charles Bradbourn, Felipe Camisón Asensio, Christine de Veyrac, Garrelt Duin, Alain Esclopé, Giovanni Claudio Fava, Juan Manuel Ferrández Lezaun (suppléant Nelly Maes), Jacqueline Foster, Mathieu J.H. Grosch, Konstantinos Hatzidakis, Juan de Dios Izquierdo Collado, Georg Jarzembowski, Dieter-Lebrecht Koch, Sérgio Marques, Emmanouil Mastorakis, Linda McAvan (suppléant Danielle Darras), Erik Meijer, Enrique Monsonís Domingo, Camilo Nogueira Román, Samuli Pohjamo, Reinhard Rack, Brian Simpson, Ulrich Stockmann, Joaquim Vairinhos, Mark Francis Watts et Brigitte Wenzel-Perillo (suppléant Rolf Berend).

La recommandation pour la deuxième lecture a été déposée le 7 avril 2004.

PROJET DE RÉSOLUTION LÉGISLATIVE DU PARLEMENT EUROPÉEN

sur la position commune du Conseil en vue de l'adoption de la directive du Parlement européen et du Conseil concernant l'interopérabilité des systèmes de télépéage routier dans la Communauté

(6277/1/2004 – C5-0163/2004 – 2003/0081(COD))

(Procédure de codécision: deuxième lecture)

Le Parlement européen,

- vu la position commune du Conseil (6277/1/2004 – C5-0163/2004),
 - vu sa position en première lecture¹ sur la proposition de la Commission au Parlement européen et au Conseil (COM(2003) 132)²,
 - vu l'article 251, paragraphe 2, du traité CE,
 - vu l'article 78 de son règlement,
 - vu la recommandation pour la deuxième lecture de la commission de la politique régionale, des transports et du tourisme (A5-0246/2004),
1. approuve la position commune;
 2. constate que l'acte est arrêté conformément à la position commune;
 3. charge son Président de signer l'acte, avec le Président du Conseil, conformément à l'article 254, paragraphe 1, du traité CE;
 4. charge son Secrétaire général de signer l'acte, pour ce qui relève de ses compétences, et de procéder, en accord avec le Secrétaire général du Conseil, à sa publication au Journal officiel de l'Union européenne;
 5. charge son Président de transmettre la position du Parlement au Conseil et à la Commission.

¹ Textes adoptés du 18.12.2003, P5_TA(2003)0594.

² Non encore publiée au JO.

EXPOSÉ DES MOTIFS

I. Introduction

On 18 December 2003, the European Parliament adopted its position in first reading on the draft Directive of the European Parliament and of the Council on the interoperability of electronic road toll systems in the Community.

The Directive aims to ensure the interoperability of electronic toll systems in the Community and the introduction of a European electronic toll service which encompasses the entire road network in the Community on which tolls are charged.

Your rapporteur welcomed the initiative of the Commission and stressed during the deliberations in committee that " ... the Commission's 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 State, 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."

II. Parliament's first reading-the main amendments

The Parliament was able, following the recommendations of its rapporteur to agree on the major lines of the Commission's proposal. On some points however, the Parliament decided to modify the text in order to make it clearer and simpler.

The most important modifications operated by the Parliament are the following:

1. The Parliament modified the title of the Directive by excluding the words "widespread introduction" from the text of the title.
2. Whereas the Commission had proposed to make the use of satellite positioning and mobile communications technologies **obligatory** in new electronic toll systems as of a certain date, the Parliament decided that no such obligation should be imposed, and that the use of these technologies should only be **recommended** (Article 2, paragraph 6). Hence, systems using traditional 5,8 GHz microwave technology may continue to co-exist with systems using the new satellite technologies.
3. The Parliament modified the time frame as proposed by the Commission for the putting into place of the European electronic toll service. The time frame should be as follows:
 - a) The decisions relating to the definition of this service should be taken at the latest by 1 January 2007 (Article 4, paragraph 5a new);
 - b) Operators and or issuers should offer the service to their customers according to the following timetable (Article 3, paragraph 3):

- for all vehicles exceeding 3,5 tonnes and for all vehicles which are allowed to carry more than nine passengers (driver + 8), at the latest two years after the decisions on the definition of the service have been taken;
 - for all other types of vehicle, at the latest five years after the decisions on the definition of the service have been taken.
4. Parliament defined the "European toll service" as a contractual set of rules allowing all operators and/or issuers to provide the service, a set of technical standards and requirements and a single subscription contract between the clients and the operators offering the service (Article 3, paragraph 1)
 5. The Parliament made clear that the Directive does not affect the freedom of Member States to lay down rules governing road infrastructure charging and taxation matters (recital 2a new).
 6. In order to avoid superfluous costs, the Parliament underlined that the Directive does not apply a) to road toll systems for which no electronic means of toll collection exists, and provided moreover that the Directive does not apply b) to electronic road toll systems which do not need the installation of equipment on board vehicles, and c) to small, strictly local road toll systems for which the costs of compliance with the requirements of the Directive would be disproportionate to the benefits (Article 1, paragraph 1a new).
 7. Member States which have toll systems should take the necessary measures to increase the use of electronic toll systems, but provided that Member States only need to *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 (Article 2, paragraph 7)
 8. As regards the definition of the European electronic toll service, the Parliament provided not only that the decisions relating thereto should be taken by the Commission at the latest by 1 January 2007, but also that such decisions should only be taken if all the conditions, evaluated on the basis of appropriate studies, are in place to enable interoperability to work from all points of view, including the technical, legal and commercial points of view (Article 4, paragraph 5a new)
 9. The Parliament also asked that the concerned parties (toll service operators, infrastructure managers, electronics and motor industries and users) should be consulted by the Commission on technical and contractual aspects of the European toll service.(Recital 13 a new)
 10. Finally the Plenary asked the participation of NGOs in the regulatory committee (Art 5, paragraph 1).

III. The Council's common position

The Council was ready to accept, after negotiations your rapporteur had with the Irish Presidency, to the letter or in substance, the following amendments of Parliament's first reading (unless otherwise indicated, the articles referred to are those of the common position):

No 1 – see the modification to the title of the Directive;
No 2 – see the modifications to recital 2;
No 3 – see the new recital 23;
No 4 – see the modifications to recital 3;
No 5 – see the modifications to recital 5;
No 6 – see the new recital 7;
No 7 – see the modifications to recital 8 (recital 6 in the Commission proposal);
No 8 – see the modifications to recital 9 (recital 7 in the Commission proposal);
No 9 – see the modifications to recital 10 (recital 8 in the Commission proposal);
No 10 – see the modifications to recital 11 (recital 9 in the Commission proposal);
No 11 – see the new recital 12;
No 12 – see the new recital 22;
No 13 – see the new recital 18;
No 14 – see the new recital 19;
No 15 – see the new recital 21;
No 16 – see the modifications to Article 1, paragraph 1;
No 17 – see the modifications to Article 2, paragraph 1, introductory part;
No 18 – see the new recital 6;
No 19 – see the modifications to Article 2, paragraph 2;
No 20 – see the modifications to Article 2, paragraph 4 (Article 2, paragraph 3, in the Commission proposal);
No 21 – Article 2, paragraph 4, of the Commission proposal has been deleted;
No 22 – Article 2, paragraph 5, of the Commission proposal has been deleted;
No 25 – see the modifications to Article 2, paragraph 5 (Article 2, paragraph 7, in the Commission proposal);
No 27 – see the modifications to Article 3, paragraph 2;
No 28 – see the new Article 3, paragraph 3;
No 29 – the amendment could not be accepted, but the words ‘and/or issuers’ have been inserted, see Article 3, paragraph 4 (Article 3, paragraph 3, in the Commission proposal);
No 32 – see the reformulation of item (i) in the Annex to the Directive (Article 4, paragraph 1, point (f) in the Commission proposal);
No 33 – see new item (m) in the Annex to the Directive;
No 34 – see the modifications to Article 4, paragraph 3 (Article 4, paragraph 2, in the Commission proposal)
No 36 – the date has been postponed in line with the amendment of Parliament, but the Council decided to adopt the general rule of 18 months after the entry into force of the Directive, see Article 6, first paragraph;
No 39 – the amendment has been taken into account by the new wording in recital 21;
Nos 41 and 45 – see the modifications in Article 1, paragraph 3 (Article 1, second paragraph in the Commission proposal);
No 44 – see the new Article 1, paragraph 2;
No 46 – see the new Article 2, paragraph 6;
No 47 – see the new recital 13;
No 48 – see the new Article 2, paragraph 3;
No 49 – see the modifications to Article 3, paragraph 1;
No 50 – see the modifications to Article 3, paragraph 4 (Article 3, paragraph 3, in the Commission proposal); in line with the amendment of Parliament, the Council replaced the fixed dates by which the European electronic toll service should be offered to customers with

dates that are calculated by adding certain time periods (three years, five years) to the moment by which the decisions on the definition of the service are taken; by applying three years in respect of lorries, the Council took a slightly different view from Parliament, which had suggested two years, but with the five years in respect of all other vehicles the Council and the Parliament are exactly on the same line.

No 51 – see the new Article 4, paragraph 4; while the Council in its general approach stated that the decisions on the definition of the European electronic toll service should be taken at the latest by 1 January 2006, it finally decided to set this date at 1 July 2006, in order to take account of the amendment of Parliament which requested 1 January 2007.

Finally it has been noted that the Council transferred the items whereupon the European electronic toll service should be based, from Article 4 of the Commission's proposal to a new Annex.

IV. Conclusions

Your rapporteur is persuaded that the text of the common position is appropriate and balanced and corresponds to Parliament's desiderata. With respect to the amendments proposed by the European Parliament in first reading your rapporteur observes that almost all amendments have been integrated – to the letter or in spirit, partially or in full into the common position. Despite some minor differences, especially with regard to the timetable of the introduction of the European toll service, your rapporteur recommends the adoption of the common position without any modifications. A European toll service and user-friendly interoperability of the different toll systems is supported by our citizens and the leading performers in the European transport sector. Consequently it should be introduced without any unnecessary delays.